

CITY OF MONTCLAIR

**CITY COUNCIL
SUCCESSOR REDEVELOPMENT AGENCY,
MONTCLAIR HOUSING CORPORATION, MONTCLAIR
HOUSING AUTHORITY, AND MONTCLAIR COMMUNITY
FOUNDATION MEETINGS**

AGENDA PACKET



**Monday, June 3, 2024
7:00 p.m.**

**Montclair City Council Chambers
5111 Benito Street
Montclair, CA 91763**

Mayor

Javier "John" Dutrey

Mayor Pro Tem

Tenice Johnson

Council Members

Bill Ruh

Corysa Martinez

Benjamin "Ben" Lopez

City Manager

Edward C. Starr

City Attorney

Diane E. Robbins

City Clerk

Andrea M. Myrick



**REGULAR JOINT MEETING OF THE
CITY COUNCIL, SUCCESSOR AGENCY, MONTCLAIR HOUSING CORPORATION,
MONTCLAIR HOUSING AUTHORITY, AND MONTCLAIR COMMUNITY FOUNDATION**

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

Monday, June 3, 2024
7:00 p.m.

If you want to provide comments on an agenda item, including public hearing and closed session items, please complete a Speaker Card located in the Council Chambers. The Mayor/Chair (or the meeting's Presiding Officer) will call on those who submitted requests to speak at the appropriate times during the meeting. Written comments (200-word limit per agenda item, and 200-word limit for all non-agenda items combined) can also be emailed to cityclerk@cityofmontclair.org at least one hour before the meeting begins.

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Zoom Link: <https://zoom.us/j/93717150550> / Dial Number: 1 (669) 900-6833 / Meeting ID: 937-1715-0550

AGENDA

- I. CALL TO ORDER** City Council [CC], Successor Agency Board [SA],
Montclair Housing Corporation Board [MHC],
Montclair Housing Authority Commission [MHA],
Montclair Community Foundation Board [MCF]

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 endorses any particular religious belief or form of invocation.

III. PLEDGE OF ALLEGIANCE

IV. ROLL CALL

V. PRESENTATIONS — None

VI. PUBLIC COMMENT

*During Public Comment, you may comment on any subject that **does not** appear on this agenda. Each speaker has up to five minutes. The meeting's presiding officer may provide more or less time to accommodate speakers with special needs or a large number of speakers waiting in line. (Government Code Section 54954.3).*

Under the provisions of the Brown Act, the meeting bodies are prohibited from participating in substantial discussion of or taking action on items not listed on the agenda.

VII. PUBLIC HEARINGS

Page No.

- A. First Reading — Consider Ordinance No. 24-1006 Amending the Zoning Code and Repealing and Replacing Chapter 11.23 of the Montclair Municipal Code Relating to Accessory Dwelling Units and Junior Accessory Dwelling Units in Residential Zones (Case No. 2024-21) [CC]

Consider Setting a Public Hearing for Second Reading and to Consider Adoption of Ordinance No. 24-1006 on Monday, June 17, 2024, at 7:00 p.m. in the City Council Chambers [CC]

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VIII. CONSENT CALENDAR

- A. Approval of Minutes

1. Regular Joint Meeting — May 6, 2024 [CC/SA/MHC/MHA/MCF]

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IX. PULLED CONSENT CALENDAR ITEMS

X. COMMUNICATIONS

A. Department Reports — None

B. City Attorney

1. Request for City Council to Meet in Closed Session Pursuant to Government Code §54956.9(d)(4) Regarding Potential Litigation [CC]

One Potential Case

2. Request for City Council to Meet in Closed Session Pursuant to Government Code §54957.6 Regarding Conference with Designated Labor Negotiator Edward C. Starr [CC]

Agency: City of Montclair

Employee Management Employees

Associations: Montclair City Confidential Employees Association

General Employees - Teamsters Local 1932

Montclair Fire Fighters Association

Montclair Police Officers Association

C. City Manager/Executive Director

D. Mayor/Chairperson

E. Council Members/Directors

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

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XI. CLOSED SESSSION

XII. CLOSED SESSION ANNOUNCEMENTS

XIII. ADJOURNMENT – *This meeting will be adjourned in memory of Loren Pettis, Montclair’s Fire Chief from 1983-1993.*

The next regular joint meeting of the City Council, Successor Agency Board, Montclair Housing Corporation Board, Montclair Housing Authority Commission, and Montclair Community Foundation Board will be held on Monday, June 17, 2024 at 7:00 p.m.

Reports, backup materials, and additional materials related to any item on this Agenda distributed to the meeting bodies after publication of the Agenda packet are available for public inspection in the Office of the City Clerk between 7:00 a.m. and 6:00 p.m., Monday through Thursday. Please call the City Clerk’s Office at (909) 625-9416 or send an e-mail to cityclerk@cityofmontclair.org to request documents via e-mail.

If you need special assistance to participate in this meeting, call the City Clerk’s Office at (909) 625-9416 or e-mail cityclerk@cityofmontclair.org. Notification 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. Myrick, 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 City’s website at <https://www.cityofmontclair.org/agendas/> and on the bulletin board adjacent to the north door of Montclair City Hall at 5111 Benito Street, Montclair, CA 91763 on Thursday, May 30, 2024.



CITY COUNCIL AGENDA REPORT

DATE: JUNE 3, 2024 **FILE I.D.:** CDV110
SECTION: PUBLIC HEARINGS **DEPT.:** COMMUNITY DEV.
ITEM NO.: A **PREPARER:** M. DIAZ

SUBJECT: FIRST READING — CONSIDER ORDINANCE NO. 24-1006 AMENDING THE ZONING CODE AND REPEALING AND REPLACING CHAPTER 11.23 OF THE MONTCLAIR MUNICIPAL CODE RELATING TO ACCESSORY DWELLING UNITS AND JUNIOR ACCESSORY DWELLING UNITS IN RESIDENTIAL ZONES (CASE NO. 2024-21)

CONSIDER SETTING A PUBLIC HEARING FOR SECOND READING AND TO CONSIDER ADOPTION OF ORDINANCE NO. 24-1006 ON MONDAY, JUNE 17, 2024, AT 7:00 P.M. IN THE CITY COUNCIL CHAMBERS

REASON FOR CONSIDERATION: City Council action is required to amend the Montclair Municipal Code (MMC) and the Zoning Code. Proposed Ordinance No. 24-1006 would make changes to the MMC and update local regulations in compliance with Government Code section 66310 *et seq.* related to Accessory Dwelling Units (ADU) and Junior Accessory Dwelling Units (JADU) constructed in the City.

The purpose for proposed Ordinance No. 24-1006 is to update the Montclair Municipal Code to be consistent with recent State legislation regarding Accessory Dwelling Units (ADUs) and Junior Accessory Dwelling Units (JADUs) developed within the City. The ordinance complies with Government Code Section 65310 *et seq.*, as amended by recent legislation, including SB 897.

A copy of proposed Ordinance No. 24-1006 is attached to this report for City Council review and consideration.

BACKGROUND: Pursuant to California Government Code Section 66316, local ordinances that fail to meet the requirements of State ADU/JADU Laws are considered null and void in their entirety, and the local jurisdiction will thereafter be limited to only applying State Law standards without local refinements to all local ADU and JADU development projects. The proposed Ordinance would provide updated City procedures and development standards for ADUs and JADUs that are consistent with State Law.

Notable elements of the updated ordinance regarding ADUs and JADUs include the following:

- ADU law applies to all single family and multifamily zoning districts. Code-compliant ADUs and JADUs must be allowed on any lot that includes a single-family dwelling unit, and on lots containing multifamily dwelling units.
- Size of ADUs:
 - The minimum size requirements a local agency can impose for ADUs is 850 square feet if one bedroom, or 1000 square feet if two or more bedrooms. In addition, local agencies cannot impose restrictions that would prohibit construction of an 800 square-foot ADU.
 - JADUs are limited to a maximum of 500 square feet.
 - Attached ADUs cannot exceeding 50% of the habitable space of the primary unit.

- Enclosed spaces/uses within a proposed or existing single-family residence, such as attached garages, are considered part of the primary single-family residence.
- An increase in the height limits for some ADUs. Specifically, an increased maximum height limit for ADUs that are within half a mile of a major transit stop or high-quality transit corridor from 16 feet to 18 feet. An increase in height limit up to 25 feet may be allowed for an attached ADU to the primary dwelling, but cannot not exceed two stories.
- Minimum side and rear yard setbacks for ADUs are reduced to 4 feet, but front yard and street side setbacks may be maintained per zoning standards, unless otherwise necessary to accommodate placement of an 800 square-foot ADU. Existing non-conforming structures are permitted to maintain their nonconforming setbacks if converted to an ADU.
- Clarifies that installation of fire sprinklers in an ADU will not be required if fire sprinklers are not required for the primary dwelling unit, and further clarifies that construction of an ADU, by itself, will not trigger a requirement for fire sprinklers to be installed in the existing primary dwelling.
- Generally, one off-street parking space is required for each ADU and tandem parking may be proposed to meet this requirement. The City is prohibited from imposing any parking standards on an ADU, in the following instances:
 - The ADU is within a half-mile walking distance of public transit, an architecturally or historically significant historic district, is part of a proposed or existing primary residence, or
 - If on-street parking permits are required but not offered to the occupant of the ADU, or
 - If a car share vehicle is located within one block of the ADU.
- Replacement parking cannot be required when a garage, carport, or covered parking structure is demolished to accommodate the construction of an ADU or is converted to an ADU.
- An ADU or JADU cannot be denied due to nonconforming zoning conditions, building code violations or unpermitted structures that do not present an immediate threat to public health and safety. Moreover, a local agency may not deny a permit for an unpermitted ADU constructed prior to January 1, 2018, due to a violation of building standards unless the local agency makes a finding that correcting the violation is necessary to protect the health and safety of the public or occupants of the structure.
- Requires the City to approve or deny an application for an ADU or JADU within 60 days of receiving a completed application. The law also requires the City to justify with a full set of detailed comments describing the deficiencies in the application and explaining how to remedy them.
- Requires local ordinances only impose objective development standards on ADUs. The following Objective Design Standards are included in the proposed local ordinance:
 - The architectural style of the ADU shall match the existing residence, to include roof pitch, exterior building materials, colors, and finishes.
 - Separate exterior entrances apart from that of the primary dwelling.
 - Walls and windows shall be placed to maximize privacy.

- Rooftop decks are prohibited.
- Exterior lights shielded and directed downward.
- Landscaping.
- An ADU or JADU may be rented, but not for a term shorter than 30 days. Further, an ADU or JADU cannot be sold or otherwise conveyed separately.
- Owner occupancy is not required for an ADU created on or after January 20, 2020. However, the owner occupancy requirement applies to all JADUs.
- Upon approval of the ordinance, deed restrictions for ADUs and JADUs will be required.
- Certain income reporting requirements related to ADUs and JADUs that will be rented, in order to facilitate the City’s obligation to identify adequate sites for housing in accordance with Government Code sections 65583.1 and 65852.2.

PLANNING COMMISSION REVIEW: The Planning Commission considered the proposed Ordinance during a noticed public hearing at its regular meeting on May 13, 2024. After reviewing the staff report and draft ordinance, and opening the hearing for public testimony (no public comments were received), the Planning Commission, by a vote of 4-1, recommended City Council approval of the proposed Ordinance per Planning Commission Resolution No. 24-1995. During the public hearing, Commissioner Mendez expressed opposition to allowing ADUs being developed without requiring sufficient parking. The City Attorney clarified that an uncovered on-site parking space was still a requirement.

PUBLIC NOTICE: Notice of this City Council public hearing was published in the Inland Valley Daily Bulletin on May 24, 2024. The notice meets the legal notice requirements and is adequate in scope for this project. No public comments were received prior to or during the Planning Commission review, nor have any been submitted to date.

ENVIRONMENTAL REVIEW: Under Section 21080.17 of the California Public Resources Code (PRC), adoption of the proposed Ordinance is statutorily exempt from the California Environmental Quality Act (CEQA). Under PRC Section 21080.17, CEQA does not apply to the adoption of an ordinance by a city or county to implement the provisions of Section 66310 et seq. of the Government Code (State ADU law). The proposed Ordinance implements Government Code Section 66310 et seq. within the City of Montclair in a manner that is consistent with the requirements of State ADU law.

FISCAL IMPACT: The cost for review of future ADU and JADU proposals will be borne by property owners (applicants) at the fee established for review and permits as listed on the City’s Master User Fee Schedule, which is approved and amended from time to time by the City Council.

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

1. Conduct first reading of Ordinance No. 24-1006 amending the Zoning Code and repealing and replacing Chapter 11.23 of the Montclair Municipal Code relating to Accessory Dwelling Units and Junior Accessory Dwelling Units in residential zones (Case No. 2024-21); and
2. Set a public hearing for second reading and to consider adoption of Ordinance No. 24-1006 on Monday, June 17, 2024, at 7:00 p.m. in the City Council Chambers.

ORDINANCE NO. 24-1006

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MONTCLAIR ADOPTING ZONING CODE AMENDMENT NO. 2024-21 TO REPEAL AND REPLACE CHAPTER 11.23 OF THE MONTCLAIR MUNICIPAL CODE RELATING TO ACCESSORY DWELLING UNITS (ADUs) AND JUNIOR ACCESSORY DWELLING UNITS (JADUs) IN THE CITY OF MONTCLAIR AND DETERMINING THE ORDINANCE TO BE EXEMPT FROM CEQA

WHEREAS, the City of Montclair, California (“City”) is a municipal corporation duly organized under the constitution and laws of the State of California; and

WHEREAS, Planning and Zoning Law authorizes cities to act by ordinance to provide for the creation and regulation of accessory dwelling units (“ADUs”) and junior accessory dwelling units (“JADUs”); and

WHEREAS, the State has identified housing shortage as an issue of statewide significance, and the California Legislature has enacted a series of laws to take steps to streamline the production of housing. The proposed Ordinance would provide updated City procedures and development standards for ADUs and JADUs that are consistent with State law; and

WHEREAS, the California Legislature approved, and the Governor signed into law Senate Bill 897 (“SB 897”) to further amend Government Code sections 65852.2 and 65852.22 relating ADUs and JADUs in the State; and

WHEREAS, SB 897 requires that the City amend its existing ADU ordinance to comply with the new provisions of SB 897; and

WHEREAS, State law requires that the City deem ADUs to be “a residential use that is consistent with the existing general plan and zoning designation” (Government Code Section 65852.2(a)(1)(C)); and

WHEREAS, the City desires to amend its local regulatory scheme for the construction of ADUs and JADUs to comply with the amended provisions of Government Code sections 65852.2 and 65852.22; and

WHEREAS, staff, special counsel, and the City Attorney prepared this Resolution and the proposed Zoning Code Amendment No. 2024-21, including the proposed language and terminology, and any additional information and documents deemed necessary for the Planning Commission to take action; and

WHEREAS, proposed Ordinance No. 24-1006 is statutorily exempt from the California Environmental Quality Act (CEQA) and the City’s CEQA Guidelines under Public Resources Code section 21080.17 and CEQA Guidelines Section 15282(h), which provide that the adoption of an ordinance regarding ADUs by a city to implement Government Code Section 65852.2 is statutorily exempt from CEQA; and

WHEREAS, on May 3, 2024, the City gave public notice of the public hearing on the proposed ordinance before the Planning Commission in the *Inland Daily Bulletin*, a newspaper of general circulation; and

WHEREAS, on May 13, 2024, the Planning Commission held a public hearing and considered the staff report, recommendations by staff, and public testimony concerning the proposed ordinance; and

WHEREAS, on May 13, 2024, the Planning Commission, by a vote of 4 to X, passed Planning Commission Resolution No. 24-1995 recommending City Council adoption of Ordinance No. 24-1006 to repeal and replace Chapter 11.23 of the Montclair Municipal Code, relating to ADUs and JADUs; and

WHEREAS, on May 24, 2024, the City gave public notice of the public hearing for proposed Ordinance No. 24-1006 by publishing notice in the *Inland Daily Bulletin*, a newspaper of general circulation a newspaper of general circulation; and

WHEREAS, on June 3, 2024, the City Council held a duly-noticed public hearing and considered the staff report, recommendations by staff, and public testimony concerning proposed Ordinance No. 24-1006; and

WHEREAS, all other legal prerequisites to the adoption of this Ordinance have been satisfied.

NOW, THEREFORE, the City Council of the City of Montclair does ordain as follows:

Section I. The recitals above are each incorporated by reference and adopted as findings by the City Council.

Section II. Under California Public Resources Code section 21080.17, the California Environmental Quality Act ("CEQA") does not apply to the adoption of an ordinance by a city or county implementing the provisions of section 65852.2 of the Government Code, which is California's ADU law and which also regulates JADUs, as defined by section 65852.22. Therefore, the City Council finds that this Ordinance is statutorily exempt from CEQA in that the Ordinance implements the State's ADU law.

Section III. The City Council hereby adopts Zoning Code Amendment 24-1006, and Chapter 11.23 of the Montclair Municipal Code is hereby repealed and replaced to read in its entirety as provided in Exhibit A, attached hereto and incorporated herein by this reference.

Section IV. This Ordinance takes effect thirty (30) days after its adoption.

Section V. The City Clerk shall either: (a) have this Ordinance published in a newspaper of general circulation within 15 days after its adoption or (b) have a summary of this Ordinance published twice in a newspaper of general circulation within 15 days after its adoption.

Section VI. The City Clerk shall submit a copy of this Ordinance to the Department of Housing and Community Development within 60 days after adoption.

Section VII. If any provision of this Ordinance or its application to any person or circumstance is held to be invalid, such invalidity has no effect on the other provisions or applications of the Ordinance that can be given effect without the invalid provision or application, and to this extent, the provisions of this Ordinance are severable. The City Council declares that it would have adopted this Ordinance irrespective of the invalidity of any portion thereof.

APPROVED AND ADOPTED this XX day of XX, 2024.

ATTEST:

Mayor

City Clerk

I, Andrea M. Myrick, City Clerk of the City of Montclair, DO HEREBY CERTIFY that the foregoing is a true and correct copy of Ordinance No. 24-1006 of said City, which was introduced at a meeting of the City Council held on the XX day of XX, 2024, and finally passed not less than five (5) days thereafter at a regular meeting of the City Council on the XX day of XX, 2024, by the following vote, to-wit:

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

Andrea M. Myrick,
City Clerk

Exhibit A – Updated ADU Regulations

Chapter 11.23 – ACCESSORY DWELLING UNITS

Section 11.23.000 Accessory Dwelling Units

- (a) **Purpose.** The purpose of this section is to allow and regulate accessory dwelling units (ADUs) and junior accessory dwelling units (JADUs) in compliance with California Government Code section 66310 et seq., as amended.
- (b) **Effect of Conforming.** An ADU or JADU that conforms to the standards in this Section will not be:
 - (1) Deemed to be inconsistent with the City’s general plan and zoning designation for the lot on which the ADU or JADU is located.
 - (2) Deemed to exceed the allowable density for the lot on which the ADU or JADU is located.
 - (3) Considered in the application of any local ordinance, policy, or program to limit residential growth.
 - (4) Required to correct a nonconforming zoning condition, as defined in subsection (c)(7) below. This does not prevent the City from enforcing compliance with applicable building standards in accordance with Health and Safety Code section 17980.12.
- (c) **Definitions.** As used in this Section, terms are defined as follows:
 - (1) “Accessory dwelling unit” or “ADU” means an attached or detached residential dwelling unit that provides complete independent living facilities for one or more persons and is located on a lot with a proposed or existing primary residence. An accessory dwelling unit also includes the following:
 - (A) An efficiency unit, as defined by section 17958.1 of the California Health and Safety Code; and
 - (B) A manufactured home, as defined by section 18007 of the California Health and Safety Code.
 - (2) “Accessory structure” means a structure that is accessory and incidental to a dwelling located on the same lot.
 - (3) “Complete independent living facilities” means permanent provisions for living, sleeping, eating, cooking, and sanitation on the same parcel as the single-family or multifamily dwelling is or will be situated.
 - (4) “Efficiency kitchen” means a kitchen that includes all of the following:
 - (A) A cooking facility with appliances.
 - (B) A food preparation counter and storage cabinets that are of a reasonable size in relation to the size of the JADU.
 - (5) “Junior accessory dwelling unit” or “JADU” means a residential unit that satisfies all of the following:
 - (A) It is no more than 500 square feet in size.
 - (B) It is contained entirely within an existing or proposed single-family structure. An enclosed use within the residence, such as an attached garage, is considered to be a part of and contained within the single-family structure.
 - (C) It includes its own separate sanitation facilities or shares sanitation facilities with the existing or proposed single-family structure.
 - (D) If the unit does not include its own separate bathroom, then it contains an interior entrance to the main living area of the existing

or proposed single-family structure in addition to an exterior entrance that is separate from the main entrance to the primary dwelling.

- (E) It includes an efficiency kitchen, as defined in subsection (c)(4) above.
 - (6) "Living area" means the interior habitable area of a dwelling unit, including basements and attics, but does not include a garage or any accessory structure.
 - (7) "Nonconforming zoning condition" means a physical improvement on a property that does not conform with current zoning standards.
 - (8) "Passageway" means a pathway that is unobstructed clear to the sky and extends from a street to one entrance of the ADU or JADU.
 - (9) "Proposed dwelling" means a dwelling that is the subject of a permit application and that meets the requirements for permitting.
 - (10) "Public transit" means a location, including, but not limited to, a bus stop or train station, where the public may access buses, trains, subways, and other forms of transportation that charge set fares, run on fixed routes, and are available to the public.
 - (11) "Tandem parking" means that two or more automobiles are parked on a driveway or in any other location on a lot, lined up behind one another.
- (d) **Approvals.** The following approvals apply to ADUs and JADUs under this section:
- (1) **Building permit Only.** If an ADU or JADU complies with each of the general requirements in subsection (e) below, it is allowed with only a building permit in the following scenarios:
 - (A) **Converted on Single-family Lot:** One ADU as described in this subsection (d)(1)(A) and one JADU on a lot with a proposed or existing single-family dwelling on it, where the ADU or JADU:
 - (i) Is either: within the space of a proposed single-family dwelling, within the existing space of an existing single-family dwelling, or (in the case of an ADU only) within the existing space of an accessory structure, plus up to 150 additional square feet if the expansion is limited to accommodating ingress and egress; and
 - (ii) Has exterior access that is independent of that for the single-family dwelling; and
 - (iii) Has side and rear setbacks that are sufficient for fire and safety, as dictated by applicable building and fire codes.
 - (iv) The JADU complies with the requirements of Government Code sections 66333 through 66339, as amended.
 - (B) **Limited Detached on Single-family Lot:** One detached, new-construction ADU on a lot with a proposed or existing single-family dwelling (in addition to any JADU that might otherwise be established on the lot under subsection (d)(1)(A) above), if the detached ADU satisfies each of the following limitations:
 - (i) The side- and rear-yard setbacks are at least four feet.
 - (ii) The total floor area is 800 square feet or smaller.
 - (iii) The peak height above grade does not exceed the applicable height limit in subsection (e)(2) below.
 - (C) **Converted on Multifamily Lot:** One or more ADUs within portions of existing multifamily dwelling structures that are not used as livable space, including but not limited to storage rooms, boiler rooms, passageways, attics, basements, or garages, if each

converted ADU complies with state building standards for dwellings. Under this subsection (d)(1)(C), at least one converted ADU is allowed within an existing multifamily dwelling, up to a quantity equal to 25 percent of the existing multifamily dwelling units.

(D) **Limited Detached on Multifamily Lot:** No more than two detached ADUs on a lot that has an existing or proposed multifamily dwelling if each detached ADU satisfies both of the following limitations:

- (i) The side- and rear-yard setbacks are at least four feet. If the existing multifamily dwelling has a rear or side yard setback of less than four feet, the City will not require any modification to the multifamily dwelling as a condition of approving the ADU.
- (ii) The peak height above grade does not exceed the applicable height limit provided in subsection (e)(2) below.

(2) **ADU Permit.**

- (A) Except as allowed under subsection (d)(1) above, no ADU may be created without a building permit and an ADU permit in compliance with the standards set forth in subsections (e) and (f) below.
- (B) The City may charge a fee to reimburse it for costs incurred in processing ADU permits, including the costs of adopting or amending the City's ADU ordinance. The ADU permit processing fee is determined by the Director of Community Development and approved by the City Council by resolution.

(3) **Process and Timing.**

- (A) An ADU permit is considered and approved ministerially without discretionary review or a hearing.
- (B) The City must approve or deny an application to create an ADU or JADU within 60 days from the date that the City receives a completed application. If the City has not approved or denied the completed application within 60 days, the application is deemed approved unless either:
 - (i) The applicant requests a delay, in which case the 60-day time period is tolled for the period of the requested delay, or
 - (ii) When an application to create an ADU or JADU is submitted with a permit application to create a new single-family or multifamily dwelling on the lot, the City may delay acting on the permit application for the ADU or JADU until the City acts on the permit application to create the new single-family or multifamily dwelling, but the application to create the ADU or JADU will still be considered ministerially without discretionary review or a hearing.
- (C) If the City denies an application to create an ADU or JADU, the City must provide the applicant with comments that include, among other things, a list of all the defective or deficient items and a description of how the application may be remedied by the applicant. Notice of the denial and corresponding comments must be provided to the applicant within the 60-day time period established by subsection (d)(3)(B) above.
- (D) A demolition permit for a detached garage that is to be replaced with an ADU is reviewed with the application for the ADU and issued at the same time.

(e) **General ADU and JADU Requirements.** The following requirements apply to all ADUs and JADUs that are approved under subsections (d)(1) or (d)(2) above:

(1) **Zoning.**

- (A) An ADU or JADU subject only to a building permit under subsection (d)(1) above may be created on a lot in a residential or mixed-use zone.
- (B) An ADU or JADU subject to an ADU permit under subsection (d)(2) above may be created on a lot that is zoned to allow single-family dwelling residential use or multifamily dwelling residential use.
- (C) In accordance with Government Code section 66333, as amended, a JADU may only be created on a lot zoned for single-family residences.

(2) **Height.**

- (A) Except as otherwise provided by subsections 0 and 0 below, a detached ADU created on a lot with an existing or proposed single-family or multifamily dwelling unit may not exceed 16 feet in height.

A detached ADU may be up to 18 feet in height if it is created on a lot with an existing or proposed single-family or multifamily dwelling unit that is located within one-half mile walking distance of a major transit stop or a high-quality transit corridor, as those terms are defined in Section 21155 of the Public Resources Code, and the ADU may be up to two additional feet in height (for a maximum of 20 feet) if necessary to accommodate a roof pitch on the ADU that is aligned with the roof pitch of the primary dwelling unit.

- (B) A detached ADU created on a lot with an existing or proposed multifamily dwelling that has more than one story above grade may not exceed 18 feet in height.
- (C) An ADU that is attached to the primary dwelling may not exceed 25 feet in height or the height limitation imposed by the underlying zone that applies to the primary dwelling, whichever is lower. Notwithstanding the foregoing, ADUs subject to this subsection (e)(2)(B) may not exceed two stories.
- (D) For purposes of this subsection (e)(2), height is measured above the existing legal grade to the peak of the structure.

(3) **Fire Sprinklers.**

- (A) Fire sprinklers are required in an ADU if sprinklers are required in the primary residence.
- (B) The construction of an ADU does not trigger a requirement for fire sprinklers to be installed in the existing primary dwelling.

(4) **Rental Term.** No ADU or JADU may be rented for a term that is shorter than 30 days. This prohibition applies regardless of when the ADU or JADU was created.

(5) **No Separate Conveyance.** An ADU or JADU may be rented, but, except as otherwise provided in Government Code sections 66340 and 66341, as amended, no ADU or JADU may be sold or otherwise conveyed separately from the lot and the primary dwelling (in the case of a single-family lot) or from the lot and all of the dwellings (in the case of a multifamily lot).

(6) **Owner Occupancy.**

- (A) ADUs created under this Section on or after January 1, 2020, are not subject to an owner-occupancy requirement.
- (B) As required by state law, all JADUs are subject to an owner-occupancy requirement. A natural person with legal or equitable title to the property must reside on the property, in either the primary dwelling or JADU, as the person's legal domicile and permanent residence. However, the owner-occupancy requirement in this subsection (e)(6)(B) does not apply if the property is entirely owned

by another governmental agency, land trust, or housing organization.

- (7) **Deed Restriction.** Prior to the issuance of a building permit for an ADU or JADU, a deed restriction must be recorded against the title of the property in the County Recorder's office, and a copy must be filed with the Director of Community Development or his designee. The deed restriction must run with the land and bind all future owners. The form of the deed restriction will be provided by the City and must provide that:
- (A) Except as otherwise provided in Government Code sections 66340 and 66341, as amended, the ADU or JADU may not be sold separately from the primary dwelling.
 - (B) The ADU or JADU is restricted to the approved size and to other attributes allowed by this section.
 - (C) The deed restriction runs with the land and may be enforced against future property owners.
 - (D) The deed restriction may be removed if the owner eliminates the ADU or JADU, as evidenced by, for example, the removal of the kitchen facilities. To remove the deed restriction, an owner may make a written request to the Director, providing evidence that the ADU or JADU has, in fact, been eliminated. The Director may then determine whether the evidence supports the claim that the ADU or JADU has been eliminated. Appeal may be taken from the Director's determination consistent with other provisions of this Code. If the ADU or JADU is not entirely physically removed but is only eliminated by virtue of having a necessary component of an ADU or JADU removed, the remaining structure and improvements must otherwise comply with applicable provisions of this Code.
 - (E) The deed restriction is enforceable by the director or his or her designee for the benefit of the City. Failure of the property owner to comply with the deed restriction may result in legal action against the property owner, and the City is authorized to obtain any remedy available to it at law or equity, including, but not limited to, obtaining an injunction enjoining the use of the ADU or JADU in violation of the recorded restrictions or abatement of the illegal unit.
- (8) **Income Reporting.** In order to facilitate the City's obligation to identify adequate sites for housing in accordance with Government Code sections 65583.1 and 65852.2, as amended, the following requirements must be satisfied:
- (A) With the building permit application, the applicant must provide the City with an estimate of the projected annualized rent that will be charged for the ADU or JADU.
 - (B) Within 90 days after each yearly anniversary of the issuance of the building permit, the owner must report the actual rent charged for the ADU or JADU during the prior year. If the City does not receive the report within the 90-day period, the owner is in violation of this Code, and the City may send the owner a notice of violation and allow the owner another 30 days to submit the report. If the owner fails to submit the report within the 30-day period, the City may enforce this provision in accordance with applicable law.
- (9) **Building & Safety.**
- (A) **Must comply with building code.** Subject to subsection (e)(9)(B) below, all ADUs and JADUs must comply with all local building code requirements.
 - (B) **No change of occupancy.** Construction of an ADU does not constitute a Group R occupancy change under the local building code, as described in Section 310 of the California Building Code, unless the Building Official makes a written finding based on substantial evidence in the record that the construction of the ADU

could have a specific, adverse impact on public health and safety. Nothing in this subsection (e)(9)(B) prevents the City from changing the occupancy code of a space that was uninhabitable space or that was only permitted for non-residential use and was subsequently converted for residential use in accordance with this section.

(f) **Specific ADU Requirements.** The following requirements apply only to ADUs that require an ADU permit under subsection (d)(2) above.

(1) **Maximum Size.**

- (A) The maximum size of a detached or attached ADU subject to this subsection (f) is 850 square feet for a studio or one-bedroom unit and 1,000 square feet for a unit with two or more bedrooms.
- (B) An attached ADU that is created on a lot with an existing primary dwelling is further limited to 50 percent of the floor area of the existing primary dwelling.
- (C) Application of other development standards in this subsection (f), such as lot coverage, might further limit the size of the ADU, but no application of the percent-based size limit in subsection (f)(1)(B) above, front setback, lot coverage limit, or open-space requirement may require the ADU to be less than 800 square feet.

(2) **Setbacks.**

- (A) An ADU that is subject to this subsection (f) must conform to a 25-foot front-yard setback, subject to subsection (f)(1)(C) above.
- (B) An ADU that is subject to this subsection (f) must conform to 4-foot side- and rear-yard setbacks.
- (C) No setback is required for an ADU that is subject to this subsection (f) if the ADU is constructed in the same location and to the same dimensions as an existing structure.

(3) **Lot Coverage.** No ADU subject to this subsection (f) may cause the total lot coverage of the lot to exceed 35 percent, subject to subsection (f)(1)(C) above.

(4) **Minimum Open Space.** No ADU subject to this subsection (f) may cause the total percentage of open space of the lot to fall below 1,000 square feet, subject to subsection (f)(1)(C) above.

(5) **Passageway.** No passageway, as defined by subsection (c)(8) above, is required for an ADU.

(6) **Parking.**

- (A) Generally. One off-street parking space is required for each ADU. The parking space may be provided in setback areas or as tandem parking, as defined by subsection (c)(11) above.
- (B) Exceptions. No parking under subsection (f)(6)(A) is required in the following situations:
 - (i) The ADU is located within one-half mile walking distance of public transit, as defined in subsection (c)(10) above.
 - (ii) The ADU is located within an architecturally and historically significant historic district.
 - (iii) The ADU is part of the proposed or existing primary residence or an accessory structure under subsection (d)(1)(A) above.
 - (iv) When on-street parking permits are required but not offered to the occupant of the ADU.

- (v) When there is an established car share vehicle stop located within one block of the ADU.
 - (vi) When the permit application to create an ADU is submitted with an application to create a new single-family or new multifamily dwelling on the same lot, provided that the ADU or the lot satisfies any other criteria listed in subsections (f)(6)(B)(i) through (v) above.
- (C) No Replacement. When a garage, carport, or covered parking structure is demolished in conjunction with the construction of an ADU or converted to an ADU, those off-street parking spaces are not required to be replaced.
- (7) **Architectural Requirements.**
- (A) The materials and colors of the exterior walls, roof, windows, and doors must match the appearance and architectural design of those of the primary dwelling.
 - (B) The roof slope must match that of the dominant roof slope of the primary dwelling. The dominant roof slope is the slope shared by the largest portion of the roof.
 - (C) The exterior lighting must be limited to down-lights or as otherwise required by the building or fire code.
 - (D) The ADU must have an independent exterior entrance apart from that of the primary dwelling.
 - (E) The interior horizontal dimensions of an ADU must be at least 10 feet wide in every direction, with a minimum interior wall height of seven feet.
 - (F) Windows and doors of the ADU may not have a direct line of sight to an adjoining residential property. Fencing, landscaping, or privacy glass may be used to provide screening and prevent a direct line of sight.
 - (G) All windows and doors in an ADU are less than 30 feet from a property line that is not a public right-of-way line must either be (for windows) clerestory with the bottom of the glass at least six feet above the finished floor, or (for windows and for doors) utilize frosted or obscure glass.
- (8) **Landscape Requirements.** Evergreen landscape screening must be planted and maintained between the ADU and adjacent parcels as follows:
- (A) At least one 15-gallon size plant shall be provided for every five linear feet of exterior wall. Alternatively, at least one 24" box-size plant shall be provided for every ten linear feet of exterior wall.
 - (B) Plant specimens must be at least six feet tall when installed. As an alternative, a solid fence of at least 6 feet in height may be installed.
 - (C) All landscaping must be drought-tolerant and conform with water conservation standards.
- (9) **Protections.** An ADU that is on or within 600 feet of real property and is listed in the California Register of Historic Resources must be located so as not to be visible from any public right-of-way.
- (g) **Fees.** The following requirements apply to all ADUs that are approved under subsections (d)(1) or (d)(2) above.
- (1) **Impact Fees.**
 - (A) No impact fee is required for an ADU that is less than 750 square feet in size. For purposes of this subsection (g)(1), "impact fee" means a "fee" under the Mitigation Fee Act (Gov. Code § 66000(b))

and a fee under the Quimby Act (Gov. Code § 66477). "Impact fee" here does not include any connection fee or capacity charge for water or sewer service.

- (B) Any impact fee that is required for an ADU that is 750 square feet or larger in size must be charged proportionately in relation to the square footage of the primary dwelling unit. (E.g., the floor area of the ADU, divided by the floor area of the primary dwelling, times the typical fee amount charged for a new dwelling.)

(2) **Utility Fees.**

- (A) If an ADU is constructed with a new single-family home, a separate utility connection directly between the ADU and the utility and payment of the normal connection fee and capacity charge for a new dwelling are required.
- (B) Except as described in subsection (g)(2)(A), converted ADUs on a single-family lot that are created under subsection (d)(1)(A) above are not required to have a new or separate utility connection directly between the ADU and the utility. Nor is a connection fee or capacity charge required.
- (C) Except as described in subsection (g)(2)(A), all ADUs that are not covered by subsection (g)(2)(B) require a new, separate utility connection directly between the ADU and the utility.
 - (i) The connection is subject to a connection fee or capacity charge that is proportionate to the burden created by the ADU based on either the floor area or the number of drainage-fixture units (DFU) values, as defined by the Uniform Plumbing Code, upon the water or sewer system.
 - (ii) The portion of the fee or charge that is charged by the City may not exceed the reasonable cost of providing this service.

(h) **Nonconforming Zoning Code Conditions, Building Code Violations, and Unpermitted Structures.**

- (1) **Generally.** The City will not deny an ADU or JADU application due to a nonconforming zoning condition, building code violation, or unpermitted structure on the lot that does not present a threat to the public health and safety and that is not affected by the construction of the ADU or JADU.

(2) **Unpermitted ADUs constructed before 2018.**

- (A) **Permit to Legalize.** As required by state law, the City may not deny a permit to legalize an existing but unpermitted ADU that was constructed before January 1, 2018, if denial is based on either of the following grounds:

- (i) The ADU violates applicable building standards, or
- (ii) The ADU does not comply with the state ADU law (Government Code section 66310 et seq. [as amended]) or this ADU ordinance (Section 11.23.000).

(B) **Exceptions:**

- (i) Notwithstanding subsection (h)(2)(A) above, the City may deny a permit to legalize an existing but unpermitted ADU that was constructed before January 1, 2018, if the City makes a finding that correcting a violation is necessary to protect the health and safety of the public or of occupants of the structure.
- (ii) Subsection (h)(2)(A) above does not apply to a building that is deemed to be substandard in accordance with California Health and Safety Code section 17920.3.

- (i) **Nonconforming ADUs and Discretionary Approval.** Any proposed ADU or JADU that does not conform to the objective standards set forth in subsections (a) through (h) of this section may be allowed by the City with a conditional use permit, in accordance with Chapter 11.78.

FIRST
READING
06/03/2024



CITY COUNCIL AGENDA REPORT

DATE: JUNE 3, 2024

FILE I.D.: FIN520

SECTION: CONSENT - ADMIN. REPORTS

DEPT.: FINANCE

ITEM NO.: 1

PREPARER: J. KULBECK

SUBJECT: CONSIDER RECEIVING AND FILING OF TREASURER'S REPORT

REASON FOR CONSIDERATION: The City Council is requested to consider receiving and filing the City of Montclair Treasurer's Report for the month ending April 30, 2024.

BACKGROUND: Included in the City Council's agenda packet is a copy of the Treasurer's Report for the period ending April 30, 2024.

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 April 30, 2024.



CITY COUNCIL AGENDA REPORT

DATE:	JUNE 3, 2024	FILE I.D.:	FIN540
SECTION:	CONSENT - ADMIN. REPORTS	DEPT.:	FINANCE
ITEM NO.:	2	PREPARER:	A. VONG/V. FLORES
SUBJECT:	CONSIDER APPROVAL OF WARRANT REGISTER AND PAYROLL DOCUMENTATION		

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

BACKGROUND: Mayor Pro Tem Johnson has examined the Warrant Register dated May 20, 2024; the Warrant Register dated June 3, 2024; the Payroll Documentation dated May 5, 2024; and the Payroll Documentation dated May 19, 2024, and recommends their approval.

FISCAL IMPACT: The Warrant Register dated May 20, 2024, totals \$3,773,387.94.

The Warrant Register dated June 3, 2024, totals \$1,223,663.38.

The Payroll Documentation dated May 5, 2024, totals \$845,337.34 gross, with \$603,936.52 net being the total cash disbursement.

The Payroll Documentation dated May 19, 2024, totals \$878,206.78 gross, with \$623,190.51 net being the total cash disbursement.

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



CITY COUNCIL AGENDA REPORT

DATE:	JUNE 3, 2024	FILE I.D.:	FIN510
SECTION:	CONSENT - ADMIN. REPORTS	DEPT.:	SA
ITEM NO.:	3	PREPARER:	C. RAMIREZ
SUBJECT:	CONSIDER RECEIVING AND FILING OF TREASURER'S REPORT		

REASON FOR CONSIDERATION: The City Council acting as Successor to the Redevelopment Agency Board of Directors (Successor Agency Board) is requested to consider receiving and filing the Successor to the Redevelopment Agency Treasurer's Report for the month ending April 30, 2024, pursuant to state law.

BACKGROUND: Included in the Successor Agency Board's agenda packet is a copy of the Successor to the Redevelopment Agency Treasurer's Report for the period ending April 30, 2024.

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

RECOMMENDATION: Staff recommends the Successor Agency Board receive and file the Successor to the Redevelopment Agency Treasurer's Report for the month ending April 30, 2024.



CITY COUNCIL AGENDA REPORT

DATE:	JUNE 3, 2024	FILE I.D.:	FIN530
SECTION:	CONSENT - ADMIN. REPORTS	DEPT.:	SA
ITEM NO.:	4	PREPARER:	C. RAMIREZ
SUBJECT:	CONSIDER APPROVAL OF WARRANT REGISTER		

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 April 30, 2024, pursuant to state law.

BACKGROUND: Vice Chair Johnson has examined the Successor to the Redevelopment Agency Warrant Register dated 04.01.24-04.30.24 in the amounts of \$4,592.45 for the Combined Operating Fund and \$0.00 for the Redevelopment Obligation Retirement Funds, and finds it to be in order.

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

RECOMMENDATION: Vice Chair Johnson 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 April 30, 2024.



CITY COUNCIL AGENDA REPORT

DATE:	JUNE 3, 2024	FILE I.D.:	FIN525
SECTION:	CONSENT - ADMIN. REPORTS	DEPT.:	MHC
ITEM NO.:	5	PREPARER:	C. RAMIREZ
SUBJECT:	CONSIDER RECEIVING AND FILING OF TREASURER'S REPORT		

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 April 30, 2024, pursuant to state law.

BACKGROUND: Included in the Montclair Housing Corporation Board agenda packet is a copy of the Treasurer's Report for the period ending April 30, 2024.

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 April 30, 2024.



CITY COUNCIL AGENDA REPORT

DATE:	JUNE 3, 2024	FILE I.D.:	FIN545
SECTION:	CONSENT - ADMIN. REPORTS	DEPT.:	MHC
ITEM NO.:	6	PREPARER:	C. RAMIREZ
SUBJECT:	CONSIDER APPROVAL OF WARRANT REGISTER		

REASON FOR CONSIDERATION: The Montclair Housing Corporation Board of Directors is requested to consider receiving and filing the Warrant Register for the month ending April 30, 2024, pursuant to state law.

BACKGROUND: Vice Chair Johnson has examined the Warrant Register dated 04.01.24-04.30.24 in the amount of \$66,310.07 for the Montclair Housing Corporation and finds it to be in order.

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

RECOMMENDATION: Vice Chair Johnson recommends the Montclair Housing Corporation Board of Directors approve the Warrant Register for the period ending April 30, 2024.



CITY COUNCIL AGENDA REPORT

DATE:	JUNE 3, 2024	FILE I.D.:	FIN525
SECTION:	CONSENT - ADMIN. REPORTS	DEPT.:	MHA
ITEM NO.:	7	PREPARER:	C. RAMIREZ
SUBJECT:	CONSIDER RECEIVING AND FILING OF TREASURER'S REPORT		

REASON FOR CONSIDERATION: The Montclair Housing Authority Commission is requested to receive and file the Montclair Housing Authority Treasurer's Report for the month ending April 30, 2024, pursuant to state law.

BACKGROUND: Included in the Montclair Housing Authority Commission's agenda packet is a copy of the Treasurer's Report for the period ending April 30, 2024.

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

RECOMMENDATION: Staff recommends the Montclair Housing Authority Commission receive and file the Treasurer's Report for the month ending April 30, 2024.



CITY COUNCIL AGENDA REPORT

DATE:	JUNE 3, 2024	FILE I.D.:	FIN545
SECTION:	CONSENT - ADMIN. REPORTS	DEPT.:	MHA
ITEM NO.:	8	PREPARER:	C. RAMIREZ
SUBJECT:	CONSIDER APPROVAL OF WARRANT REGISTER		

REASON FOR CONSIDERATION: The Montclair Housing Authority Commission is requested to consider receiving and filing the Warrant Register for the month ending April 30, 2024, pursuant to state law.

BACKGROUND: Vice Chair Johnson has examined the Warrant Register dated 04.01.24-04.30.24 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 Chair Johnson recommends the Montclair Housing Authority Commission approve the Warrant Register for the period ending April 30, 2024.



CITY COUNCIL AGENDA REPORT

DATE:	JUNE 3, 2024	FILE I.D.:	FPP150
SECTION:	CONSENT - ADMIN. REPORTS	DEPT.:	ADMIN. SVCS.
ITEM NO.:	9	PREPARER:	A. MYRICK
SUBJECT:	CONSIDER DIRECTING STAFF TO REVIEW THE CITY'S CONFLICT OF INTEREST CODE AND TO SUBMIT THE 2024 BIENNIAL NOTICE TO THE CITY COUNCIL ON OR BEFORE OCTOBER 1, 2024, PURSUANT TO THE POLITICAL REFORM ACT		

REASON FOR CONSIDERATION: The City Council is the designated code-reviewing body for the City's Conflict of Interest Code ("Code"). It is necessary to review the Code on a biennial basis, which includes the filing of a Local Agency Biennial Notice and amending the Code to update the list of designated employees who are required to file Statements of Economic Interests and to incorporate any other necessary changes.

BACKGROUND: Pursuant to the Political Reform Act of 1974 (Government Code Section 8100, *et seq.*), all public agencies are required to adopt a Conflict of Interest Code. The Code designates positions annually required to file Fair Political Practices Commission (FPPC) Form 700 Statements of Economic Interest ("Form 700"), and assigns disclosure categories specifying the types of interests to be reported. The Form 700 is a public document intended to alert public officials and members of the public to the types of financial interests that may create conflicts of interest.

The City of Montclair's Conflict of Interest Code, first adopted on October 4, 1976, contains the requirement that all City Council Members, Planning Commissioners, City Manager, City Attorney, and designated employees responsible for managing public investments annually file the Form 700. In addition, the Code requires there be a listing of designated employees who, by job title, "make or participate in the making of governmental decisions which may have a foreseeable material effect on financial interests."

The Political Reform Act requires state and local government agencies to review their Conflict of Interest Code every even-numbered year to determine if it is accurate or, alternatively, to amend the Code if necessary. Before July 1, 2024, the City Council must direct staff to review the Conflict of Interest Code and to submit a Biennial Notice to the City Council no later than October 1, 2024. The blank Biennial Notice form is attached for reference. The City Council must adopt any proposed amendments to the Code within 90 days of filing the Biennial Notice.

Taking the recommended action would satisfy the requirement that the City Council direct staff to review the Code. Staff will submit the Biennial Notice to the City Council at a regular meeting in September, which will report the findings of staff's review. If amendments to the Code are required, the City Council will be requested to adopt a resolution updating the Conflict of Interest Code.

FISCAL IMPACT: There would be no fiscal impact associated with providing direction to staff as recommended.

RECOMMENDATION: Staff recommends the City Council direct staff to review the Conflict of Interest Code and file the 2024 Biennial Notice pursuant to the Political Reform Act.

2024 Conflict of Interest Code Biennial Notice Instructions for Local Agencies

The Political Reform Act requires every local government agency to review its conflict of interest code biennially. A conflict of interest code tells public officials, governmental employees, and consultants what financial interests they must disclose on their Statement of Economic Interests (Form 700).

By **July 1, 2024**: The code reviewing body must notify agencies and special districts within its jurisdiction to review their conflict of interest codes.

By **October 1, 2024**: The biennial notice must be filed with the agency's code reviewing body.

The FPPC has prepared a 2024 Local Agency Biennial Notice form for local agencies to complete or send to agencies within its jurisdiction to complete before submitting to the code reviewing body. The City Council is the code reviewing body for city agencies. The County Board of Supervisors is the code reviewing body for county agencies and any other local government agency whose jurisdiction is determined to be solely within the county (e.g., school districts, including certain charter schools). The FPPC is the code reviewing body for any agency with jurisdiction in **more than one county** and will contact them.

The Local Agency Biennial Notice is not forwarded to the FPPC.

If amendments to an agency's conflict of interest code are necessary, the amended code must be forwarded to the code reviewing body for approval within 90 days. An agency's amended code is not effective until it has been approved by the code reviewing body.

If you answer yes, to any of the questions below, your agency's code probably needs to be amended.

- Is the current code more than five years old?
- Have there been any substantial changes to the agency's organizational structure since the last code was approved?
- Have any positions been eliminated or re-named since the last code was approved?
- Have any new positions been added since the last code was approved?
- Have there been any substantial changes in duties or responsibilities for any positions since the last code was approved?

If you have any questions or are still not sure if you should amend your agency's conflict of interest code, please contact the FPPC. Additional information including an online webinar regarding how to amend a conflict of interest code is available on [FPPC's website](#).

2024 Local Agency Biennial Notice

Name of Agency: _____

Mailing Address: _____

Contact Person: _____ Phone No. _____

Email: _____ Alternate Email: _____

Accurate disclosure is essential to monitor whether officials have conflicts of interest and to help ensure public trust in government. The biennial review examines current programs to ensure that the agency's code includes disclosure by those agency officials who make or participate in making governmental decisions.

This agency has reviewed its conflict of interest code and has determined that (*check one BOX*):

An amendment is required. The following amendments are necessary:

(*Check all that apply.*)

- Include new positions
- Revise disclosure categories
- Revise the titles of existing positions
- Delete titles of positions that have been abolished and/or positions that no longer make or participate in making governmental decisions
- Other (*describe*) _____

The code is currently under review by the code reviewing body.

No amendment is required. (If your code is over five years old, amendments may be necessary.)

Verification (to be completed if no amendment is required)

This agency's code accurately designates all positions that make or participate in the making of governmental decisions. The disclosure assigned to those positions accurately requires that all investments, business positions, interests in real property, and sources of income that may foreseeably be affected materially by the decisions made by those holding designated positions are reported. The code includes all other provisions required by Government Code Section 87302.

Signature of Chief Executive Officer

Date

All agencies must complete and return this notice regardless of how recently your code was approved or amended. Please return this notice no later than **October 1, 2024**, or by the date specified by your agency, if earlier, to:

(*PLACE RETURN ADDRESS OF CODE REVIEWING BODY HERE*)

PLEASE DO NOT RETURN THIS FORM TO THE FPPC.

FPPC Advice: www.fppc.ca.gov (866.275.3772)
advice@fppc.ca.gov

Page 1 of 1



CITY COUNCIL AGENDA REPORT

DATE:	JUNE 3, 2024	FILE I.D.:	PDT360
SECTION:	CONSENT - ADMIN. REPORTS	DEPT.:	POLICE
ITEM NO.:	10	PREPARER:	M. BUTLER
SUBJECT:	CONSIDER AUTHORIZING A \$15,000 APPROPRIATION FROM THE FEDERAL ASSET FORFEITURE FUND FOR CELLULAR DATA SERVICE FOR COMMAND STAFF LAPTOPS AND IN-CAR CAMERA ROUTERS		

REASON FOR CONSIDERATION: The City Council is requested to consider authorizing a \$15,000 appropriation from the Federal Asset Forfeiture Fund for cellular data service for command staff laptops and in-car camera routers.

BACKGROUND: Command staff members have each been assigned a City laptop for use when away from the office. Montclair Police managers require laptops with cellular connectivity to ensure seamless access to their work desktop computers in the field or on-call during emergencies. This capability is crucial as it enables them to perform field investigations and conduct policing activities without interruption. In the high-stakes environment of law enforcement, timely access to information can mean the difference between life and death. Cellular connectivity ensures managers can retrieve critical data, communicate with team members, and access essential systems even in areas where traditional internet access is unavailable. This continuous connectivity enhances their ability to make informed decisions rapidly, coordinate effectively with other officers, and respond swiftly to incidents, thereby significantly improving public safety and operational efficiency. Additionally, the cellular service provides the assigned laptops with internet connectivity that allows managers access to their office computer files and City email anytime, anywhere through a secure virtual private network (VPN) tunnel.

Recently, the Police Department was awarded \$800,000 from the Bureau of Justice Assistance (BJA) FY 2023 Byrne Discretionary Community Project Funding/Byrne Discretionary Grants Program to implement a Body-Worn Camera (BWC) Program. Along with purchasing BWCs, the Department also used grant funding to purchase new in-car cameras, which seamlessly integrate with the BWCs. By the end of April 2024, installation of the new in-car cameras was completed and officers were issued BWCs in an effort to improve the effectiveness of Montclair's policing services and guarantee higher quality public service to build trust between the Department and the Montclair community. Routers with cellular data service are an integral part of the BWC Program.

The in-car cameras capture vital video and audio during patrols, serving as indispensable tools for evidence collection, training support, and ensuring transparency in police interactions. To maintain the integrity and accessibility of this critical data, the in-car cameras rely on cellular connectivity facilitated by external routers mounted in the trunks of police vehicles. These routers are essential for the seamless upload, backup, and retrieval of video and audio files, ensuring that all captured data is promptly and securely transmitted to the digital evidence management system. Given the high volume of data and the need for real-time access, the routers require unlimited cellular service. This continuous, unrestricted connectivity is crucial for upholding the highest accountability and operational efficiency standards, ensuring that evidence is always available when needed and that our police officers can be held to the utmost standards of transparency and professionalism.

FISCAL IMPACT: Staff estimates the monthly cost would be \$200 for cellular data service for five laptops and \$1,000 a month for cellular data service for 25 in-car camera routers. The service would be provided by Verizon Wireless, the City's current wireless provider.

If authorized by the City Council, funding for cellular data service for command staff laptops and in-car camera routers would result in an appropriation from the Federal Asset Forfeiture Fund 1144 in the amount of \$15,000 for Fiscal Year 2024-25.

RECOMMENDATION: Staff recommends the City Council authorize a \$15,000 appropriation from the Federal Asset Forfeiture Fund for cellular data service for command staff laptops and in-car camera routers.



CITY COUNCIL AGENDA REPORT

DATE: JUNE 3, 2024

FILE I.D.: EQS054

SECTION: CONSENT - ADMIN. REPORTS

DEPT.: FIRE

ITEM NO.: 11

PREPARER: D. POHL

SUBJECT: CONSIDER DECLARING HOLMATRO POWER TOOLS AS SURPLUS AND AVAILABLE FOR DONATION TO THE HUATABAMPO FIRE DEPARTMENT IN SONORA, MEXICO

REASON FOR CONSIDERATION: The City Council is requested to declare Holmatro power tools as surplus and available for donation to the Huatabampo Fire Department in Sonora, Mexico.

BACKGROUND: The subject Holmatro power tools have reached their maximum lifespan, have been deemed unserviceable, and are no longer being used after being in service for over twenty years. The tools no longer meet the acceptable standards of the Montclair Fire Department, but can still be used by an agency that does not possess the means to purchase new power tools. The Montclair Fire Department has transitioned to battery powered rescue tools manufactured by Hurst. These tools have allowed the Fire Department to improve response times to accidents and emergencies. Upon being declared as surplus by the City Council, a representative of the Huatabampo Fire Department will pick up and transport the items to their agency. The items include:

<i>Quantity</i>	<i>Item</i>
2	Holmatro Power Unit
2	Holmatro Spreaders
2	Holmatro Cutter
1	Holmatro Ram
4	Holmatro Hydraulic Hoses

The representative for the Huatabampo Fire Department has acknowledged the restrictions of the donation of these power tools from the City of Montclair's Fire Department, and that the City of Montclair is not making any warranties or representations as to the condition of the items.

FISCAL IMPACT: Donating the listed items would have no fiscal impact on the City's General Fund.

RECOMMENDATION: Staff recommends the City Council declare Holmatro power tools as surplus and available for donation to the Huatabampo Fire Department in Sonora, Mexico.



CITY COUNCIL AGENDA REPORT

DATE: JUNE 3, 2024

FILE I.D.: PDT175

SECTION: CONSENT - AGREEMENTS

DEPT.: POLICE

ITEM NO.: 1

PREPARER: J. MICHEL

SUBJECT: CONSIDER APPROVAL OF AMENDMENT NO. 2 TO AGREEMENT NO. 22-100 WITH THE SAN BERNARDINO COUNTY DISTRICT ATTORNEY'S OFFICE TO STATION A VICTIM'S ADVOCATE AT THE POLICE DEPARTMENT THROUGH THE 2024-25 FISCAL YEAR, SUBJECT TO ANY REVISIONS DEEMED NECESSARY BY THE CITY ATTORNEY

REASON FOR CONSIDERATION: The City Council is requested to consider approval of Amendment No. 2 to Agreement No. 22-100 with the San Bernardino County District Attorney's Office to station a Victim's Advocate at the Police Department, extending the duration of the Agreement through June 30, 2025.

A copy of proposed Amendment No. 2 to Agreement No. 22-100 is attached for the City Council's review and consideration.

BACKGROUND: The City currently is in an agreement with the San Bernardino County District Attorney's Office to station a Victim's Advocate at the Police Department, which is set to expire on June 30, 2024. This arrangement is subject to the availability of funding through the County. The Victim's Advocate assigned to Montclair has been providing needed resources to crime victims including access to counseling, legal services, restitution, and information to help navigate the legal system.

FISCAL IMPACT: If authorized by the City Council, there is no funding requirement for Amendment No. 2 to Agreement No. 22-100.

RECOMMENDATION: Staff recommends the City Council approve Amendment No. 2 to Agreement No. 22-100 with the San Bernardino County District Attorney's Office to station a Victim's Advocate at the Police Department through the 2024-25 Fiscal Year, subject to any revisions deemed necessary by the City Attorney.



Contract Number

22-999 A2

SAP Number

City of Montclair
Agreement No. 22-100
Amendment No. 2

District Attorney

Department Contract Representative Claudia Walker
Telephone Number (909) 382-3669

Contractor City of Montclair
Contractor Representative Lieutenant James Michel
Telephone Number (909) 448-3606
Contract Term October 25, 2022 – June 30, 2025
Original Contract Amount Non-Financial
Amendment Amount N/A
Total Contract Amount N/A
Cost Center 4502101000

IT IS HEREBY AGREED AS FOLLOWS:

AMENDMENT NO. 2

CONTRACT NO. 22-999

The following are amendments to Contract No. 22-999 between the City of Montclair (hereinafter “MPD”) and San Bernardino County through the District Attorney’s Office (hereinafter “County”) for Victim Advocacy services.

1. **REPLACE TERM OF CONTRACT Section VI**, with the following:

This Contract is effective as of October 25, 2022 and expires June 30, 2025 in accordance with the end of the fiscal year. This Contract may be terminated earlier in accordance with provisions of Section VII of the Contract. If AB109 funding is renewed in successive years, the contract term will change to match the funding period of the given year and be renewed upon agreement and signature by MPD and San Bernardino County.

2. This Contract may be executed in any number of counterparts, each of which so executed shall be deemed to be an original, such counterparts shall together constitute one and the same Contract. The parties shall be entitled to sign and transmit an electronic signature of this Contract (whether by facsimile, PDF or other email transmission), which signature shall be binding on the party whose name

is contained therein. Each party providing an electronic signature agrees to promptly execute and deliver to the other party an original signed Contract upon request.

3. All other terms and conditions of this Contract shall remain the same.

SAN BERNARDINO COUNTY

City of Montclair

(Print or type name of corporation, company, contractor, etc.)

▶

Pete Mendoza, Director of Purchasing

By ▶ _____
(Authorized signature - sign in blue ink)

Dated: _____

Name Javier John Dutrey
(Print or type name of person signing contract)

Title Mayor
(Print or Type)

Dated: _____

Address 4870 Arrow Hwy
Montclair, CA 91763

FOR COUNTY USE ONLY

Approved as to Legal Form
▶ _____
Richard Luczak, County Counsel
Date _____

Reviewed for Contract Compliance
▶ _____
Date _____

Reviewed/Approved by Department
▶ _____
Jason Anderson, District Attorney
Date _____



CITY COUNCIL AGENDA REPORT

DATE:	JUNE 3, 2024	FILE I.D.:	PDT205
SECTION:	CONSENT - AGREEMENTS	DEPT.:	POLICE
ITEM NO.:	2	PREPARER:	M. ZERR
SUBJECT:	CONSIDER APPROVAL OF AGREEMENT NO. 24-38 WITH ALL CITY MANAGEMENT SERVICES, INC. FOR SCHOOL CROSSING GUARD SERVICES FOR FISCAL YEAR 2024-25, SUBJECT TO ANY REVISIONS DEEMED NECESSARY BY THE CITY ATTORNEY		

REASON FOR CONSIDERATION: The City Council is requested to consider approval of Agreement No. 24-38 with All City Management Services, Inc. for school crossing guard services for Fiscal Year 2024-25.

Proposed Agreement No. 24-38 is attached for City Council's review and consideration.

BACKGROUND: All City Management Services, Inc. has provided school crossing guard services for the City since November 1998 and has notified Police Department staff that its hourly rate for crossing guard services will increase for Fiscal Year 2024-25. The adjustment would increase the current hourly rate by \$3.53, resulting in an hourly billing rate of \$33.19.

All City Management Services, Inc. has indicated that, in order to maintain its workforce, it must maintain a buffer between the state-mandated minimum wage and its own wage rates. The company must also provide wages that would allow it to effectively compete against other part-time employers for recruitment and retention of crossing guards.

FISCAL IMPACT: With the rate increase, All City Management Services, Inc. has calculated the estimated annual program cost to be \$236,041. Included in the Police Department's preliminary Fiscal Year 2024-25 Budget is an allocation of \$185,000 to provide crossing guard services for the 2024-25 school year. Because projected costs are estimated to exceed the amount budgeted for the upcoming fiscal year, the Department will evaluate actual costs and determine whether to request more funding during the Midyear Budget Review process.

RECOMMENDATION: Staff recommends the City Council approve Agreement No. 24-38 with All City Management Services, Inc. for school crossing guard services for Fiscal Year 2024-25, subject to any revisions deemed necessary by the City Attorney.



AGREEMENT FOR CROSSING GUARD SERVICES

This AGREEMENT FOR CROSSING GUARD SERVICES (the “Agreement”) is dated April 30, 2024 and is between the CITY OF MONTCLAIR (hereinafter called the "City"), and ALL CITY MANAGEMENT SERVICES, INC., a California corporation (hereinafter called the "Contractor").

WITNESSETH

The parties hereto have mutually covenanted and agreed as follows:

1. This Agreement is for a period of time which commences on or around July 1, 2024 and ends on June 30, 2025, and for such a term thereafter as the parties may agree upon.
2. The Contractor is an independent contractor and the guards to be furnished by it shall at all times be its employees and not those of the City.
3. The City’s representative in dealing with the Contractor shall be the City Manager or such a person as the City Manager may designate.
4. If, at any time during the contract period, the City questions the meaning of any item of this Agreement, the City may contact the Contractor for interpretation of that item.
5. The City shall have the right to determine the hours and locations when and where the guards shall be furnished by the Contractor. The Contractor shall notify the City in writing of any changes which may need to occur in hours of work or locations. The City further has the power to add to, delete from or revise the work schedule/locations at any time.
6. The Contractor shall provide supervisory personnel to see that guard activities are taking place at the required places and times, and in accordance with all items of this Agreement.
7. The Contractor shall maintain adequate reserve personnel to be able to furnish alternate guards in the event that any person fails to report for work at the assigned time and location.
8. The Contractor shall provide personnel properly trained as herein specified for the performance of duties of Crossing Guards. In the performance of their duties the Contractor and employees of the Contractor shall conduct themselves in accordance with the conditions of this Agreement and laws and codes of the State of California and the City of Montclair.
9. The Contractor shall train, schedule, provide and supervise personnel in accordance with the contract and the rules and regulations of the City of Montclair. Crossing Guards shall perform their duties as trained and within the City’s rules for such guards.

10. Persons provided by the Contractor as Crossing Guards shall be trained in the laws and codes of the State of California and the City of Montclair pertaining to general pedestrian safety and school crossing areas.
11. Crossing Guard Services shall be provided by the Contractor at the designated locations and at the designated hours on all days on which the designated schools in the City of Montclair are in session.
12. The Contractor shall provide all Crossing Guards with apparel by which they are readily visible and easily recognized as Crossing Guards. Such apparel shall be uniform for all persons performing the duties of Crossing Guards and shall be worn at all times while performing said duties. This apparel must be appropriate for weather conditions. The Contractor shall also provide all Crossing Guards with hand-held Stop signs and any other safety equipment which may be necessary. Apparel and equipment shall be pre-approved by the City Manager or the designee.
13. **(a) Types of Required Coverages**

Without limiting the indemnity provisions of the Contract, the Contractor shall procure and maintain in full force and effect during the term of the Contract, the following policies of insurance. If the existing policies do not meet the insurance requirements set forth herein, Contractor agrees to amend, supplement or endorse the policies to do so.

- (1) **Commercial General Liability:** Commercial General Liability Insurance which affords coverage at least as broad as Insurance Services Office “occurrence” form CG 00 001, with minimum limits of at least \$1,000,000 per occurrence for bodily injury, personal injury and property damage, and \$3,000,000 aggregate total bodily injury, personal injury and property damage. Commercial General Liability Insurance and endorsements shall be kept in force at all times during the performance of this Agreement.
- (2) **Automobile Liability Insurance:** Automobile Liability Insurance with coverage at least as broad as Insurance Services Office Form CA 0001 covering “Any Auto” (Symbol 1), including owned, non-owned, and hired autos, or the exact equivalent, with minimum limits of \$1,000,000 for bodily injury and property damage, each accident. If Contractor owns no vehicles, auto liability coverage may be provided to the general liability policy. Automobile liability insurance and endorsements shall be kept in force at all times during the performance of this Agreement.
- (3) **Workers Compensation:** Workers Compensation Insurance, as required by the State of California and Employers Liability Insurance with a limit of not less than \$1,000,000 each accident for bodily injury and \$1,000,000 each employee for bodily injury by disease.

(b) Endorsements

Insurance policies shall not be in compliance if they include any limiting provisions or endorsement that has not been submitted to the City for approval.

- (1) The insurance coverages required by section (a)(1) Commercial General Liability; and (a)(2) Automobile Liability Insurance shall contain the following provisions or be endorsed to provide the following:

Additional Insured: The City, its elected officials, officers, employees, volunteers, boards, agents and representatives shall be additional insureds with regard to liability and defense of suits or claims arising out of the performance of the Contract. Coverage for the additional insureds shall apply to the fullest extent permitted by law.

Additional Insured Endorsements shall not:

1. Be limited to "Ongoing Operations"
2. Exclude "Contractual Liability"
3. Restrict coverage to the "Sole" liability of contractor
4. Exclude "Third-Party-Over Actions"
5. Contain any other exclusion contrary to the Contract

Primary Insurance: This insurance shall be primary and any other insurance whether primary, Excess, umbrella or contingent insurance, including deductible, or self-insurance available to the insureds added by endorsement shall be in excess of and shall not contribute with this insurance.

- (2) The policy or policies of insurance required by Section (a)(3) Workers' Compensation shall shall be endorsed as follows:

Waiver of Subrogation: A waiver of subrogation stating that the insurer waives all rights of Subrogation against the indemnified parties.

(c) **Notice of Cancellation**

Required insurance policies shall not be cancelled or the coverage reduced until a thirty (30) day written notice of cancellation has been served upon the City except ten (10) days shall be allowed for non-payment of premium.

(d) **Waiver of Subrogation**

Required insurance coverages shall not prohibit Contractor from waiving the right of subrogation prior to a loss. Contractor shall waive all rights of subrogation against the indemnified parties and Policies shall contain or be endorsed to contain such a provision.

(e) **Evidence of Insurance**

The Contractor, concurrently with the execution of the contract, and as a condition precedent to the effectiveness thereof, shall deliver either certified copies of the required policies, or original certificates and endorsements on forms approved by the City. The certificates and endorsements for each insurance policy shall be signed by a person authorized by that insurer to bind coverage on its behalf. At least fifteen (15 days) prior to the expiration of any such policy, evidence of insurance showing that such insurance coverage has been renewed or extended shall be filed with City. If such coverage is cancelled or reduced, Contractor shall, within ten (10) days after receipt of written notice of such cancellation or reduction of coverage, file with the City evidence of evidence of insurance showing that the required insurance has been reinstated or has been provided through another insurance company or companies.

(f) Deductible or Self-Insured Retention

Any deductible or self-insured retention must be approved in writing by the City and shall protect the indemnified parties in the same manner and to the same extent as they would have been protected had the policy not contained a deductible or self-insured retention.

(g) Contractual Liability

The coverage provided shall apply to the obligations assumed by the Contractor under the indemnity provisions of this contract.

(h) Failure to Maintain Coverage

Contractor agrees to suspend and cease all operations hereunder during such a period of time as the required insurance coverage is not in effect and evidence if insurance has not been furnished to the City. The City shall have the right to withhold any payment due Contractor until Contractor has fully complied with the insurance provisions of this Contract. In addition, the City may either immediately terminate this Agreement, or if insurance is available at a reasonable cost, City may take out the necessary insurance and pay, at Contractor's expense, the premium thereon.

In the event that the Contractor's operations are suspended for failure to maintain required insurance coverage, the Contractor shall not be entitled to an extension of time for completion of the Work because of production lost during suspension.

(i) Acceptability of Insurers

Each such policy shall be from a company or companies with a current A.M. Best's rating of no less than A:VII and authorized to do business in the State of California, or otherwise allowed to place insurance through surplus line brokers under applicable provisions of the California Insurance Code or any federal law. Any other rating must be approved in writing in accordance with the City.

(j) Claims Made Policies

If coverage is written on a claims-made basis, the retroactive date on such insurance and all subsequent insurance shall coincide or precede the effective date of the initial Contractor's Contract with the City and continuous coverage shall be maintained or an extended reporting period shall be exercised for a period of at least three (3) years from termination or expiration of this Contract.

Upon expiration or termination of coverage of required insurance, Contractor shall procure and submit to City evidence of "tail" coverage or an extended reporting coverage period endorsement for the period of at least three (3) years from the time that work under this contract is completed.

(k) Insurance for Subcontractors

Contractor shall be responsible for causing Subcontractors to purchase the same types and

limits of insurance in compliance with the terms of this Contract/Agreement, including adding the City as an Additional Insured to the Subcontractor's policies.

14. Contractor agrees to indemnify the City, its officers, employees, and agents against, and will Hold and save each of them harmless from, any and all actions, claims, damages to persons or Property, penalties, obligations or liabilities that may be asserted or claimed by any person, firm, entity, corporation, political subdivision or other organization arising out of the negligent acts or intentional tortious acts, errors, or omissions of Contractor, its agents, employees, subcontractors, or invitee, or otherwise arising out of or in any way attributable actually, allegedly or impliedly, in whole or in part to Contractor's performance of this Agreement.
 - a) Contractor will defend any action or actions filed in connection with any said claims, damages, penalties, obligations or liabilities and will pay all costs and expenses including attorney's fees incurred in connection herewith. The Contractor's obligation to defend the City, its officers, employees and agents is not contingent upon there being an acknowledgment or determination of the merit of any claims, penalties, obligations, errors, omissions and/or costs.
 - b) Contractor will promptly pay any judgement rendered against the City, its officers, agents, or employees for any such claims, damages, penalties, obligations or liabilities to the extent to judgment arises from the negligent acts or intentional tortuous acts, errors, or omissions of Contractor, its agents, employees, subcontractors, or invitees, or otherwise from the Contractor's performance of the Agreement.
 - c) In the event the City, its officers, agents or employees is made a party to any action or proceeding filed or prosecuted against the Contractor for such damages or other claims arising out of or in connection with Contractor's performance of this Agreement, Contractor agrees to pay City, its officers, agents or employees, any and all costs and expenses incurred by City, its officers, agents, or employees in such action or proceeding, including, but not limited to, reasonable attorney's fees.
 - d) All obligation under this provision are to be paid by Contractor as they are incurred by City.
 - e) The provisions of this indemnity provision as contained at Paragraph 14 are intended by the parties to be interpreted and construed to provide the fullest protection possible under the law to the City provided that this Paragraph 14 will not be interpreted to require Contractor to indemnify City to the extent that a court determines that the negligent acts or intentional tortuous acts, errors, or omissions of the City, its agents, employees or representatives caused or contributed to the underlying action or claim. Contractor acknowledges that City would not enter into this Agreement in the absence of the commitment of Contractor to indemnify and protect as set forth herein.
15. Either party shall have the right to cancel this Agreement by giving thirty (30) days written notice to the other.
16. The Contractor shall not have the right to assign this Contract to any other person or firm except with the consent of the City.

17. The City agrees to pay Contractor the sum of Thirty-three Dollars and Nineteen Cents (\$33.19) per hour for each hour of crossing guard services provided pursuant to this Agreement.
18. In the event that this Agreement is extended beyond June 30, 2024, the compensation for services shall be established by mutual consent of the parties. Said payment shall be made upon written statement to the City by the Contractor and approval of the appropriate City representative.
19. This Agreement shall be governed by and construed in accordance with the law of the State of California.
20. In the event any legal proceeding is instated to enforce any term of provision of this Agreement, the prevailing party in said legal proceeding shall be entitled to recover Attorney's fees and costs from the opposing party in an amount determined by the court to be reasonable.

[SIGNATURES FOLLOW ON NEXT PAGE]

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

CITY

CONTRACTOR

City of Montclair

All City Management Services, Inc.

By _____
Javier John Dutrey, Mayor

By _____
Baron Farwell, General Manager

Date _____

Andrea M. Myrick, City Clerk



CITY COUNCIL AGENDA REPORT

DATE:	JUNE 3, 2024	FILE I.D.:	PDT175/SCH125/SCH350
SECTION:	CONSENT - AGREEMENTS	DEPT.:	POLICE
ITEM NO.:	3	PREPARER:	M. ZERR
SUBJECT:	CONSIDER APPROVAL OF AGREEMENT NO. 24-40 WITH CHAFFEY JOINT UNION HIGH SCHOOL DISTRICT FOR SPECIALIZED LAW ENFORCEMENT SERVICES DURING FISCAL YEAR 2024-25		

REASON FOR CONSIDERATION: The City Council is requested to consider approval of Agreement No. 24-40 with Chaffey Joint Union High School District (CJUHSD) for one dedicated Safe School Zone/School Resource Officer (SRO) for assignment at Montclair High School (MHS).

Proposed Agreement No. 24-40 has been reviewed by the City Attorney and is attached for City Council's review and consideration.

BACKGROUND: The City currently has an agreement with CJUHSD for a SRO. Pursuant to the terms of Agreement No. 24-40, CJUHSD would pay \$108,186 toward the cost of a SRO. The Police Department would be obligated to provide a presence of one SRO for MHS for nine hours each school day.

This contract would be for the regular school year and includes summer school.

FISCAL IMPACT: Should this item be approved, CJUHSD would pay \$108,186 toward the salary of a SRO beginning July 1, 2024, through the remainder of Fiscal Year 2024-25.

RECOMMENDATION: Staff recommends the City Council approve Agreement No. 24-40 with CJUHSD for specialized law enforcement services during Fiscal Year 2024-25.

**AGREEMENT
FOR SPECIALIZED LAW ENFORCEMENT SERVICES**

This Agreement is made and entered into this 1st day of July, 2024 by and between the City of Montclair (hereinafter referred to as CITY) and the Chaffey Joint Union High School District (hereinafter referred to as DISTRICT), both of whom understand as follows:

WITNESSETH

WHEREAS, the following services are to be performed subject to the conditions hereinafter set forth:

NOW, THEREFORE in consideration of these services and mutual conditions hereinafter provided, the parties hereto agree as follows:

- A. Beginning with the school year through the end of the school year 2024, the CITY will perform specialized law enforcement services for the DISTRICT at and about the campus of Montclair High School. It is understood that these services are to be provided, to the extent possible, on regularly scheduled school days between 6:30 a.m. and 3:30 p.m., and during mutually agreed upon “in-service” or familiarization periods.
 - 1. It is acknowledged that the provision of services may be interrupted by the normal working conditions experienced by law enforcement agencies, which include, but are not limited to: employee illness, court appearances, training requirements, prisoner transportation, emergency circumstances taxing on other departmental resources, etc. Should the interruption of services, for any reason, extend beyond two successive days, the CITY shall meet its obligation through the assignment of an alternate sworn employee.

- B. This Agreement will allow the CITY, through its Police Department, to provide the following specialized law enforcement services to the DISTRICT:
 - 1. One Sworn Community Oriented Officer, known as a Safe School Zone Officer, shall, through random patrol and their on-campus presence, strive to maintain a crime-free zone on and around each school campus.
 - 2. Through the Safe School Zone Officer, provide a consistent and timely response to calls for assistance from the high school or concerning students from the high school.
 - 3. Through the Safe School Zone Officer, provide a consistent liaison for the high school administration on law enforcement matters.

4. Through the Safe School Zone Officer, provide resources and materials necessary for classroom presentations on law enforcement matters.
 5. Through the Safe School Zone Officer, maintain a physical presence on campus during the hours of approximately 7:00 a.m. and 3:00 p.m. on each school day subject to possible interruptions as described in paragraph A(1) above. While on campus, the role of the officer is to:
 - a. Act as a positive role model for students.
 - b. Facilitate a positive and interactive student/law enforcement relationship.
 - c. Maintain a proactive stance toward crime prevention and order maintenance.
 - d. Act as first responder to criminal conduct or order maintenance issues occurring on or about the high school campus.
 - e. Within the confines of the law, act as information resource for school administrators on matters of mutual concern.
- C. In addition to the above, beginning with the summer session of 2024, the Safe School Zone Officer will provide services to the high school, adjusting the hours to the school schedule.
1. One Safe School Zone Officer will maintain a physical presence on campus each day during the regularly scheduled school hours.
- D. In consideration for providing these services, the DISTRICT will pay to the CITY a total of \$108,186 invoiced in two equal \$54,093 amounts; the first during November 2024, and the second due in May 2025.
- E. It is understood by both parties that the Safe School Zone Officer or other CITY officers providing this service shall remain CITY's employee at all times. As such, the CITY shall be responsible for all employment costs, supervision, control, and assignment of said officers.
- F. This Agreement is not assignable, either in whole or in part, by DISTRICT without the prior written consent of the CITY. The laws of the State of California shall govern the rights, obligation, duties, and liabilities of the parties to this Agreement and shall also govern the interpretation of the Agreement, if in dispute.
- G. If the DISTRICT in its reasonable discretion is dissatisfied with a School Zone Officer, the CITY shall assign a different School Zone Officer.
- H. The School Zone Officer shall defer to the Principal in all school discipline issues, except those that place students, faculty and staff at risk of harm.

- I. It will be the responsibility of the School Zone Officer to report all crimes originating on campus.
- J. The School Zone Officer shall share information with the principal about persons and conditions that pertain to campus safety concerns.
- K. The School Zone Officer shall coordinate all of his or her activities with the principal and staff members concerned and will seek permission, guidance and advice prior to enacting any programs within the school.
- L. CITY shall keep itself informed of and in compliance with all federal, state and local laws, ordinances, regulations, and orders that may affect in any manner performance of the services or those engaged to perform services under this Agreement. CITY shall procure all permits and licenses, pay all charges and fees, and give all notices required by law in the performance of the services.
- M. CITY is, and shall at all times be deemed to be, an independent contractor and shall be responsible for determining the sequence, method, details and manner in which it performs those services required under the terms of this Agreement. Nothing herein contained shall be construed as creating a relationship of employer and employee, or principal and agent, between DISTRICT and CITY or any of CITY's agents or employees. CITY assumes exclusive responsibility for the acts of its employees or agents as they relate to services to be provided during the course and scope of their employment. CITY, its agents and employees, shall not be entitled to any rights and/or privileges of DISTRICT's employees and shall not be considered in any manner to be DISTRICT's employees.

TERMINATION OR MODIFICATION OF AGREEMENT

This Agreement shall end on June 30, 2025, unless extended by both the CITY and DISTRICT. The CITY or DISTRICT may terminate all or any portion of this Agreement at any time upon providing a thirty (30) day written notice delivered to the addresses below. In the event the Agreement is terminated by either party prior to June 30, 2025, DISTRICT shall pro-rate its final payment for services rendered at \$9,016 per month.

CITY: City of Montclair
5111 Benito Street
Montclair, California 91763

DISTRICT: Chaffey Joint Union High School District
211 West Fifth Street
Ontario, California 91762

INDEMNIFICATION

DISTRICT shall defend, indemnify and hold harmless the CITY, its elective and appointive boards, officers, agents, and employees from all liability from loss, damage, or injury to persons or property, in any manner arising out of any negligent or intentional or willful acts or omissions of DISTRICT under this Agreement.

CITY shall defend, indemnify and hold harmless the DISTRICT, its elective and appointive boards, officers, agents, and employees from all liability from loss, damage, or injury to persons or property, in any manner arising out of any negligent or intentional or willful acts or omissions of CITY under this Agreement.

IN WITNESS WHEREOF, the parties have executed this Agreement as of the date hereinabove written.

CITY OF MONTCLAIR

Javier John Dutrey
Mayor

Date

ATTEST:

Andrea M. Myrick
City Clerk

**CHAFFEY JOINT UNION HIGH SCHOOL
DISTRICT**

Dr. Kern Oduro
Assistant Superintendent of Personnel

Date



CITY COUNCIL AGENDA REPORT

DATE:	JUNE 3, 2024	FILE I.D.:	PDT175/SCH500/600/650
SECTION:	CONSENT - AGREEMENTS	DEPT.:	POLICE
ITEM NO.:	4	PREPARER:	M. ZERR
SUBJECT:	CONSIDER APPROVAL OF AGREEMENT NO. 24-41 WITH ONTARIO-MONTCLAIR SCHOOL DISTRICT FOR SPECIALIZED LAW ENFORCEMENT SERVICES DURING FISCAL YEAR 2024-25		

REASON FOR CONSIDERATION: The City Council is requested to consider approval of Agreement No. 24-41 with Ontario-Montclair School District (OMSD) for one dedicated Safe School Zone Officer for assignment at Vernon and Serrano Middle Schools.

Copy of proposed Agreement No. 24-41 is attached for the City Council's review and consideration.

BACKGROUND: The City has not had an agreement with OMSD for a Safe School Zone/School Resource Officer (SRO) since Fiscal Year 2020-21. Pursuant to the terms of Agreement No. 24-41, OMSD would pay \$99,864 toward the cost of a SRO. The Police Department would be obligated to provide a presence of one SRO for both middle schools for eight hours each school day.

FISCAL IMPACT: Should this item be approved, OMSD would pay \$99,864 toward the salary of one SRO beginning July 1, 2024, through the remainder of Fiscal Year 2024-25.

RECOMMENDATION: Staff recommends the City Council approve Agreement No. 24-41 with OMSD for specialized law enforcement services during Fiscal Year 2024-25.

**AGREEMENT
FOR SPECIALIZED LAW ENFORCEMENT SERVICES**

This Agreement is made and entered into this 1 day of July, 2024 by and between the City of Montclair (hereinafter referred to as CITY) and the Ontario-Montclair School District (hereinafter referred to as DISTRICT), as follows:

WITNESSETH

WHEREAS, the following services are to be performed subject to the conditions hereinafter set forth:

NOW, THEREFORE in consideration of these services and mutual conditions hereinafter provided, the parties hereto agree as follows:

- A. Beginning with the school year through the end of the school year 2025, the CITY will perform specialized law enforcement services for the DISTRICT at and about the campuses of Serrano Middle School and Vernon Middle School. It is understood that these services are to be provided, to the extent possible, on regularly scheduled school days between 7:00 a.m. and 3:00 p.m., and during mutually agreed upon “in-service” or familiarization periods.
 - 1. It is acknowledged that the provision of services may be interrupted by the normal working conditions experienced by law enforcement agencies, which include, but are not limited to: employee illness, court appearances, training requirements, prisoner transportation, emergency circumstances taxing on other departmental resources, etc. Should the interruption of services, for any reason, extend beyond two successive days, the CITY shall meet its obligation through the assignment of an alternate sworn employee.

- B. This Agreement will allow the CITY, through its Police Department, to provide the following specialized law enforcement services to the DISTRICT:
 - 1. One Sworn Community Oriented Officer, known as a Safe School Zone Officer, shall, through random patrol and their on-campus presence, strive to maintain a crime-free zone on and around each middle school campus.
 - 2. Through the Safe School Zone Officer, provide a consistent and timely response to calls for assistance from the middle schools or concerning students from the middle schools.
 - 3. Through the Safe School Zone Officer, provide a consistent liaison for the middle schools administration on law enforcement matters.

4. Through the Safe School Zone Officer, provide resources and materials necessary for classroom presentations on law enforcement matters.
 5. Through the Safe School Zone Officer, maintain a physical presence on both campuses during the hours of approximately 7:00 a.m. and 3:00 p.m. on each school day subject to possible interruptions as described in paragraph A(1) above. While on campus, the role of the officer is to:
 - a. Act as a positive role model for students.
 - b. Facilitate a positive and interactive student/law enforcement relationship.
 - c. Maintain a proactive stance toward crime prevention and order maintenance.
 - d. Act as first responder to criminal conduct or order maintenance issues occurring on or about the middle school campuses.
 - e. Within the confines of the law, act as information resource for school administrators on matters of mutual concern.
- C. At the request of the DISTRICT, the Safe School Zone Officer will not provide services to the middle schools during the summer session of 2025.
- D. In consideration for providing these services, the DISTRICT will pay to the CITY a total of \$99,864 invoiced in two equal amounts of \$49,932 each; the first payment is due during November 2024, and the second payment is due in May 2025.
- E. It is understood by both parties that the Safe School Zone Officer or other CITY police officers providing this service shall remain CITY's employee(s) at all times. As such, the CITY shall be responsible for all employment costs, supervision, control, and assignment of said officers.
- F. This Agreement is not assignable, either in whole or in part, by the DISTRICT without the prior written consent of the CITY. The laws of the State of California shall govern the rights, obligation, duties, and liabilities of the parties to this Agreement and shall also govern the interpretation of the Agreement, if in dispute.
- G. If the DISTRICT in its reasonable discretion is dissatisfied with a School Zone Officer, the CITY shall assign a different School Zone Officer.
- H. The School Zone Officer shall defer to the Principal in all school discipline issues, except those that place students, faculty and staff at risk of harm.
- I. It will be the responsibility of the School Zone Officer to report all crimes originating on campus.

- J. The School Zone Officer shall share information with the principal about persons and conditions that pertain to campus safety concerns.
- K. The School Zone Officer shall coordinate all of his or her activities with the principal and staff members concerned and will seek permission, guidance and advice prior to enacting any programs within the school.
- L. CITY shall keep itself informed of and in compliance with all federal, state and local laws, ordinances, regulations, and orders that may affect in any manner performance of the services or those engaged to perform services under this Agreement. CITY shall procure all permits and licenses, pay all charges and fees, and give all notices required by law in the performance of the services.
- M. CITY is, and shall at all times be deemed to be, an independent contractor and shall be responsible for determining the sequence, method, details and manner in which it performs those services required under the terms of this Agreement. Nothing herein contained shall be construed as creating a relationship of employer and employee, or principal and agent, between DISTRICT and CITY or any of CITY's agents or employees. CITY assumes exclusive responsibility for the acts of its employees or agents as they relate to services to be provided during the course and scope of their employment. CITY, its agents and employees, shall not be entitled to any rights and/or privileges of DISTRICT's employees and shall not be considered in any manner to be DISTRICT's employees.

TERMINATION OR MODIFICATION OF AGREEMENT

This Agreement shall end on June 30, 2025, unless extended by both the CITY and DISTRICT as agreed in writing. The CITY or DISTRICT may terminate all or any portion of this Agreement at any time upon providing a thirty (30) day written notice delivered to the addresses below. In the event the Agreement is terminated by either party prior to June 30, 2025, DISTRICT shall prorate its final payment for services rendered at \$8,322 per month.

NOTICES

Any notices which either party may desire to give to the other party under this Agreement must be in writing and may be given either by personal service or by mail addressed to the address of the party as set forth below or at any other address as that party may later designate by notice:

CITY: City of Montclair
5111 Benito Street
Montclair, California 91763

DISTRICT: Ontario-Montclair School District
950 West D Street
Ontario, California 91762

INDEMNIFICATION

DISTRICT shall defend, indemnify and hold harmless the CITY, its elective and appointive boards, officers, agents, and employees from all liability from loss, damage, or injury to persons or property, in any manner arising out of any negligent or intentional or willful acts or omissions of DISTRICT under this Agreement.

CITY shall defend, indemnify and hold harmless the DISTRICT, its elective and appointive boards, officers, agents, and employees from all liability from loss, damage, or injury to persons or property, in any manner arising out of any negligent or intentional or willful acts or omissions of CITY under this Agreement.

IN WITNESS WHEREOF, the parties have executed this Agreement as of the date hereinabove written.

CITY OF MONTCLAIR

Javier John Dutrey
Mayor

Date

ATTEST:

Andrea M. Myrick
City Clerk

ONTARIO-MONTCLAIR SCHOOL DISTRICT

Phil Hillman
Chief Business Official

Date



CITY COUNCIL AGENDA REPORT

DATE: JUNE 3, 2024

FILE I.D.: FRD057

SECTION: CONSENT - AGREEMENTS

DEPT.: FIRE

ITEM NO.: 5

PREPARER: D. POHL

SUBJECT: CONSIDER APPROVAL OF AGREEMENT NO. 24-42 WITH CONSOLIDATED FIRE AGENCIES OF SAN BERNARDINO COUNTY (CONFIRE) FOR CONTINUED DISPATCH AND COMMUNICATION SERVICES, SUBJECT TO ANY REVISIONS DEEMED NECESSARY BY THE CITY ATTORNEY

REASON FOR CONSIDERATION: The City Council is requested to consider approval of Agreement No. 24-42 with Consolidated Fire Agencies of San Bernardino County (CONFIRE) for continued dispatch and communication services.

A copy of proposed Agreement No. 24-42 is attached for the City Council's review and consideration.

BACKGROUND: CONFIRE currently provides dispatch and communication services for the Fire Department under Agreement No. 23-41, which will end on June 30, 2024. Proposed Agreement No. 24-42 would renew the contract to cover Fiscal Year 2024-25.

CONFIRE is a multiagency fire, emergency medical service, and local government dispatch center located at the southwest end of Rialto Municipal Airport adjacent to the County Emergency Operations Center. CONFIRE's primary mission is to provide direct fire/EMS dispatch service 24 hours a day, seven days a week for the CONFIRE Joint Powers Authority, as well as contracting fire agencies.

CONFIRE utilizes state-of-the-art computer systems running TriTech CAD with ProQA for emergency medical dispatching, Automatic Vehicle Location (AVL) software, integrated telephone systems running VESTA, and radio systems consisting of VHF and Motorola 800 MHz trunked Smartnet Systems. One of the main advantages provided by contracting with CONFIRE is the use of AVL software, which allows dispatchers to know where fire units are located in real time via a satellite surveillance system. This system allows for the closest fire unit available to be dispatched to an emergency regardless of jurisdictional geography. Proposed Agreement No. 24-42 includes the annual maintenance fees of the WestNet First-In Fire Station Alerting System. CONFIRE has a bulk agreement with WestNet for supported agencies to receive group pricing—this cost has been included in the proposed Agreement with CONFIRE.

Contracting with CONFIRE continues to be the most prudent and cost effective option for fire and EMS dispatch and communication services.

FISCAL IMPACT: Approval of Agreement No. 24-42 would result in a net cost of \$301,622 for Fiscal Year 2024-25, which is included in the Fire Department's proposed Fiscal Year 2024-25 Budget in Program 4533 — Emergency Services, Emergency Communication Services. The cost of service for each contracting agency is based on each contracting agency's call volume for the prior calendar year, as well as costs associated with equipment replacement, technology support, and administration.

RECOMMENDATION: Staff recommends the City Council approve Agreement No. 24-42 with CONFIRE for continued dispatch and communication services, subject to any revisions deemed necessary by the City Attorney.

**CONSOLIDATED FIRE AGENCIES
CONTRACTING AGENCY AGREEMENT
(City of Montclair)**

This Agreement (“Agreement”) is by and between the Consolidated Fire Agencies (“CONFIRE”), a joint powers authority duly authorized and existing under Government Code, § 6500 et seq., and the City of Montclair (“Contracting Agency”), a fire protection district duly authorized and existing under Health & Safety Code § 13800 et seq. CONFIRE and Contracting Agency may be individually referred to as a “Party” and collectively as the “Parties.”

1. EXHIBITS

This Agreement has multiple Exhibits. Any Exhibit that is specified in this Agreement is by this reference made a part of it.

Exhibits include:

- Exhibit A: Scope of Services
- Exhibit B: Compensation
- Exhibit C: Effective Date and Term
- Exhibit D: General Terms and Conditions
- Exhibit E: HIPAA Business Associate Agreement
 - Appendix 1 to Exhibit E: General Terms and Conditions to HIPAA Business Associate Agreement

2. INDEPENDENT CONTRACTOR

- a. CONFIRE, in the performance of this Agreement, is and shall act as an independent contractor.
- b. Neither Contracting Agency, nor any of Contracting Agency’s employees, shall be considered officers, employees, agents, partner, or joint venture of CONFIRE; nor shall such persons be entitled to benefits of any kind or nature normally provided to employees of CONFIRE.
- c. Neither CONFIRE nor any of CONFIRE’s employees shall be considered officers, employees, agents, partner, or joint venture of Contracting Agency; nor shall such persons be entitled to benefits of any kind or nature normally provided to employees of Contracting Agency.

3. SCOPE OF SERVICES

CONFIRE shall furnish to the Contracting Agency the services described in Exhibit A (“Services”).

4. COMPENSATION

CONFIRE shall receive payment, for Services rendered pursuant to this Agreement, as specified in Exhibit B (“Compensation”).

5. EFFECTIVE DATE AND TERM

The Effective Date and Term are set forth in Exhibit C.

6. GENERAL TERMS AND CONDITIONS

The General Terms and Conditions are set forth in Exhibit D.

7. NOTICE

Any notice required by this Agreement may be given either by personal service or by deposit (postage prepaid) in the U.S. mail addressed as follows:

To CONFIRE:

Consolidated Fire Agencies
Attn: Nathan Cooke,
Interim Communications Director
1743 Miro Way
Rialto, CA 92376

To Contracting Agency:

City of Montclair
Attn: Jason Reed, Police Chief
5111 Benito St, Montclair, CA 91763

8. HIPPA BUSINESS ASSOCIATE AGREEMENT

The “Business Associate Agreement by and between Contracting Agency and CONFIRE” is set forth in Exhibit E.

The Parties have executed this Agreement on the dates indicated below.

Consolidated Fire Agencies

City of Montclair

Date: May 1, 2024

Date: _____, 2024

By: 

By: _____

Print Name: Nathan Cooke

Print Name: _____

Its: Interim Communications Director

Its: _____

EXHIBIT A
to CONTRACTING AGENCY AGREEMENT

SCOPE OF SERVICES

1. CONFIRE shall provide the following services to the Contracting Agency (“Services”):
 - a. Utilizing Contracting Agency’s primary public safety answering point or other authorized reporting mechanism, answering emergency telephone calls from the public.
 - (1) In connection with emergency medical calls, CONFIRE shall utilize an accredited Emergency Medical Dispatch (EMD) protocol. This also includes the use of an Emergency Care Nurse System (ECNS).
 - b. Providing emergency fire, rescue, and ambulance dispatch services to Contracting Agency on a twenty-four (24) hours per day basis, seven (7) days a week.
 - c. Upon receiving an emergency call, alerting Contracting Agency’s appropriate station, personnel, and equipment, identifying the appropriate equipment.
 - (1) The primary modes of alerting are: Motorola 800 MHz SIMS, voice delivered over an 800 MHz trunked radio system, Alternative Paging Methodologies (Mobile and App based), and an IP-based data stream delivered over a circuit that must be received and broadcast in stations by Contracting Agency-owned equipment.
 - d. Recording and, for a duration equal to that for which CONFIRE generally stores such records, maintaining audio recordings of all requests for emergency service and the primary radio traffic associated with the emergency incident.
 - (1) CONFIRE may record radio traffic as well and may retain such recordings for a duration equal to that for which CONFIRE generally stores such records.
 - e. Recording and, for a duration equal to that for which CONFIRE generally stores such records, maintaining incident records stored in CONFIRE’s computer aided dispatch system, which includes information related to the incident that includes reported times, location, nature of emergency, call-back number, units responding to the incident, and any other data recorded electronically during the incident.
 - f. As deemed appropriate by CONFIRE, providing trained and certified staff, supervision, and management personnel to support the services CONFIRE provides.
 - g. Provide 40-hour per week Duty Chief coverage for the Valley Dispatch Center.

- h. Providing, on an ongoing basis, Geofile maintenance services for the purpose of maintaining the accuracy of the geographic information in the computer-aided dispatch system.
 - (1) This may include updating the Street Network, modifying response areas and various overlays (ambulance, mutual threat areas etc), and providing other Geofile services necessary to the dispatch services described above.
 - i. Making available to the Contracting Agency the Agency Fire Response Map.
 - (1) This is an electronic map of the Contracting Agency’s immediate area of responsibility and adjacent jurisdictions. The map references (pages) will be the only map referenced in the dispatching process.
 - (2) CONFIRE will make these electronic maps available to agencies through electronic means.
 - (3) Agencies may print maps and created hard copy map books at their own expense.
 - j. Providing Contracting Agency use and access to the following software programs:
 - (1) Pulse Point.
 - (2) Firstwatch (includes FOAM and First Pass modules)
 - (3) First Due (Cost based on population)
 - k. Providing all equipment and support reasonably necessary for CONFIRE to deliver the services described in 1.a. through 1.i. above.
2. Should Contracting Agency desire additional (optional) services from CONFIRE, and should CONFIRE agree to provide such services, the Parties must execute an amendment to this Agreement incorporating those services into the Services as “Additional Services” and setting forth the additional compensation to be paid for the added services.
3. Examples of Additional Services might include:
- a. Kronos Workforce
 - b. Tablet Command.
 - c. WestNet Station Alerting
4. Additional Services to be provided upon Effective Date of this Agreement are:
- a. Tablet Command
 - b. West Net Station Alerting

c. Meraki Firewall

5. In receiving the Services, Contracting Agency shall do the following:
 - a. To the extent that such policies and procedures are not inconsistent with the policies and procedures of Contracting Agency, Contracting Agency shall comply with the policies and procedures of CONFIRE.
 - (1) The policies and procedures of CONFIRE include, by way of illustration and not by limitation, all information technology security policies applicable to the Services.
 - (2) CONFIRE shall provide Contracting Agency access to CONFIRE's existing policies and procedures upon execution of this Agreement and any updates as they are updated.
 - b. Comply with the latest technology directives issued by CONFIRE.
 - (1) The directives include, by way of illustration and not by limitation, the directive mandating the installation of a CONFIRE-approved modem on all response vehicles for the provision of Automated Vehicle Location (AVL) services.
 - c. Acquire and maintain station alerting equipment which meets adopted CONFIRE standards and specifications.
 - d. Maintain all CONFIRE owned equipment according to the specifications and requirements of CONFIRE.
 - e. Maintain all radio and pager frequencies as required by CONFIRE.
6. The Contracting Agency is authorized to use CONFIRE's radio talkgroups and frequencies by virtue of this Agreement. Authorization for use of these frequencies and talkgroups shall terminate upon termination of this Agreement. The intent of the Parties is to keep primary dispatching and communications on existing CONFIRE JPA frequencies and talkgroups.

**EXHIBIT B
to CONTRACTING AGENCY AGREEMENT**

COMPENSATION

Compensation to be paid as follows:

A. FEES FOR SERVICES:

1. In exchange for the Services set forth in Exhibit A, paragraph 1, Contracting Agency shall pay CONFIRE a sum identified by CONFIRE through its annual budget process, which shall be limited to Contracting Agency's proportionate share of CONFIRE's projected operating costs. CONFIRE has provided written notice of this sum to Contracting Agency (**Attachment A**).
 - a. Contracting Agency's proportionate share of CONFIRE's projected operating costs shall be computed as follows:
 - (1) All incidents dispatched by CONFIRE for Contracting Agency during the preceding calendar year; divided by
 - (2) All incidents dispatched by CONFIRE during the preceding calendar year; results in
 - (3) Contracting Agency's percentage of the total number of incidents dispatched.
 - b. This formula does not include direct costs incurred for ISD radio billing pass-through (optional service) or other 'seat' or inventory-based items such as software licenses, voice and data circuit charges, cellular device charges etc. These costs, including support costs, are passed through to each agency and are not subject to the cost per call formula.
2. Invoices are issued on a quarterly basis.
3. Payment is due within thirty (30) days upon receipt of the invoice.

B. ADDITIONAL FEES:

1. Contracting Agency shall also pay an annual premium.
 - a. This premium shall be paid annually and shall be five percent (5%) of Contracting Agency's annual fee for services (see Paragraph A.1. above).
 - b. Dollars paid pursuant to this provision shall:
 - (1) Be collected for and held in CONFIRE's Term Benefit Reserve Fund (5011).

- (2) Be available to the Contracting Agency for use to offset membership costs should the Contracting Agency seek such status.
 - (3) If not used to offset membership costs, remain in this fund for use by CONFIRE as deemed appropriate.
 - c. This annual premium will be assessed and paid, in the first quarter of each fiscal year. The amount will be included in the annual written notice referenced in Section A.1 of Exhibit B.
2. In the event that CONFIRE agrees to provide Contracting Agency with Additional Services, Contracting Agency shall pay CONFIRE for those Additional Services at the rate agreed by the Parties.
3. Contracting Agency shall pay directly to the appropriate telephone company(ies) all costs of telephone service to the Contracting Agency, and any foreign exchange telephone service, utilized for emergency numbers to CONFIRE. The Contracting Agency has the option to use the countywide emergency number (909-822-8071 or 800-340-9110) at no additional charge as a backup to the Emergency 9-1-1 System.
4. Contracting Agency shall pay CONFIRE the equipment replacement costs assessed by CONFIRE for damage to CONFIRE issued equipment caused by Contracting Agency's use or misuse of said CONFIRE issued equipment, which shall be added to Contracting Agency's payment set forth in Section A of this Exhibit B.
5. In the event that CONFIRE incurs additional costs or expenses as a result of Contracting Agency's delay or failure in complying with the terms and conditions of this Agreement, Contracting Agency shall pay CONFIRE the amount of CONFIRE's additional costs or expenses so resulting.
6. In the event of temporary complete disruption of service by CONFIRE, Contracting Agency has the right to assume dispatch functions at its discretion. As used herein, "temporary" means a period of time not to exceed twenty-four (24) hours from the time such service disruption occurs. If disruption occurs beyond twenty-four (24) hours, Contracting Agency shall not be charged for those days during the complete disruption period of time. A complete disruption shall mean all communication services by CONFIRE, including all backup methods, systems and protocols have become unavailable.

EXHIBIT C
to CONTRACTING AGENCY AGREEMENT

EFFECTIVE DATE AND TERM

1. This Agreement is effective on July 1, 2024 (“Effective Date”).
2. Unless terminated or otherwise cancelled in accordance with this Agreement, the term of this Agreement shall be: (i) from the Effective Date through (ii) June 30, 2025 (the “Term”).
3. At any time during the term of this agreement the Contracting Agency may submit to CONFIRE (in accordance with CONFIRE policies and regulations) an application to become a party to the CONFIRE Joint Powers Agreement.
4. Upon admission as a member of CONFIRE, the provisions of the CONFIRE Joint Powers Agreement and any bylaws, policies, or other instruments promulgated thereunder will govern the relationship between the parties of that CONFIRE Joint Powers Agreement and this Agreement will terminate.

EXHIBIT D
to CONTRACTING AGENCY AGREEMENT

GENERAL TERMS AND CONDITIONS

1. **PROVISIONS REQUIRED BY LAW DEEMED INSERTED.** Each and every provision of law and clause required by law to be inserted in this Agreement shall be deemed to be inserted and this Agreement shall be read and enforced as though it were included. If through mistake or otherwise, any provision is not inserted or is not correctly inserted, then upon application of either Party, the Agreement shall be amended to make the insertion or correction. All references to statutes and regulations shall include all amendments, replacements, and enactments in the subject which are in effect as of the date of this Agreement, and any later changes which do not materially and substantially alter the positions of the Parties.
2. **ASSIGNMENT AND SUCCESSORS.** Neither Party shall, without the prior written consent of the other Party, assign the benefit or in any way transfer their respective obligations under this Agreement. This Agreement shall inure to the benefit of and be binding upon the Parties hereto and, except as otherwise provided herein, upon their executors, administrators, successors, and assigns.
3. **SEVERABILITY.** In the event that any provision of this Agreement shall be construed to be illegal or invalid for any reason, said illegality or invalidity shall not affect the remaining provisions hereof, but such illegal or invalid provision shall be fully severable and this Agreement shall be construed and enforced as if such illegal or invalid provision had never been included herein, unless to do so would frustrate the intent and purpose of this Agreement.
4. **FORCE MAJEURE.** No Party shall be liable to any other Party for any loss or damage of any kind or for any default or delay in the performance of its obligations under this Agreement (except for payment obligations) if and to the extent that the same is caused, directly or indirectly, by fire, flood, earthquake, elements of nature, epidemics, pandemics, quarantines, acts of God, acts of war, terrorism, civil unrest or political, religious, civil or economic strife, or any other cause beyond a Party's reasonable control.
5. **VENUE/GOVERNING LAWS.** This Agreement shall be governed by the laws of the State of California. The venue of any action or claim brought by any Party to this Agreement shall be the County of San Bernardino.
6. **ATTORNEY'S FEES.** If suit is brought by either Party to enforce any of the terms of this Agreement, each Party shall bear its own attorney's fees and costs.
7. **ENTIRE AGREEMENT.** This Agreement represents the entire agreement between Parties and supersedes all prior negotiations, representations or agreements, either written or oral. This Agreement may be amended or modified only by an agreement in writing, signed by both Contracting Agency and CONFIRE.
8. **MODIFICATION.** This Agreement may be amended at any time by the written agreement of CONFIRE and Contracting Agency.
9. **WAIVER.** Waiver of a breach or default under this Agreement shall not constitute a continuing waiver of a subsequent breach of the same or any other provision under this Agreement.
10. **AUTHORITY.** The individual executing this Agreement on behalf of Contracting Agency warrants that he/she is authorized to execute the Agreement on behalf of Contracting Agency and that Contracting Agency will be bound by the terms and conditions contained herein.
11. **HEADINGS AND CONSTRUCTION.** Headings at the beginning of each paragraph and subparagraph are solely for the convenience of the Parties and are not a part of the Agreement. Whenever required by the context of this Agreement, the singular shall include the plural and the masculine shall include the feminine and vice versa. This Agreement shall not be construed as if it had been prepared by one of the Parties, but rather as if both Parties had prepared the same. Unless otherwise indicated, all references to paragraphs, sections, subparagraphs, and subsections are to this Agreement.

12. **COUNTERPARTS.** This Agreement may be executed in counterparts, each of which shall be deemed an original, but all of which, together, when signed by all of the Parties hereto, shall constitute one and the same instrument. A facsimile or electronic signature shall be as valid as an original.

13. **INDEMNIFICATION.**

A. By CONFIRE. CONFIRE shall indemnify, defend and hold harmless Contracting Agency, and all of its employees, officials, and agents (“Contracting Agency Parties”), from and against any and all claims, demands, suits, judgments, expenses and costs of any and every kind, whether actual, alleged or threatened, including attorney’s fees and costs, court costs, interest, defense costs, and expert witness fees, insofar as it may legally do so, arising from the negligent or wrongful acts or omissions of CONFIRE’S officers, agents, volunteers or employees (“CONFIRE’s Parties”) arising out of, or in any way attributable to, the performance of this Agreement. CONFIRE shall not be held responsible or liable for any loss, damage, detention or delay caused by strike, lockout, fire, flood, act or civil or military authority, insurrection or riot, or by any other cause which is not foreseeably within its control. CONFIRE’s obligation to defend the Contracting Agency Parties is not contingent upon there being an acknowledgement or determination of the merit of any claims, demands, actions, causes of action, suits, losses, liability, expenses, penalties, obligations, errors, omissions, and/or costs.

B. By Contracting Agency. Contracting Agency shall indemnify, defend and hold harmless CONFIRE Parties from and against any and all claims, demands, suits, judgments, expenses and costs of any and every kind, whether actual, alleged or threatened, including attorney’s fees and costs, court costs, interest, defense costs, and expert witness fees, insofar as it may legally do so, arising from the negligent or wrongful acts or omissions of Contracting Agency Parties arising out of, or in any way attributable to the performance of this Agreement. Contracting Agency shall not be held responsible or liable for any loss, damage, detention or delay caused by strike, lockout, fire, flood, act or civil or military authority, insurrection or riot, or by any other cause which not foreseeably within its control. Contracting Agency’s obligation to defend CONFIRE Parties is not contingent upon there being an acknowledgement or determination of the merit of any claims, demands, actions, causes of action, suits, losses, liability, expenses, penalties, obligations, errors, omissions, and/or costs.

14. **INSURANCE.**

A. Each Party shall carry \$1,000,000/\$2,000,000 (occurrence/general and product/completed operations aggregate) of commercial general liability coverage (or participate in a public agency risk pool for such amount) and each Party agrees to give the other, its directors officers, employees, or authorized volunteers insured status under its policy using ISO “occurrence” form CG 00 01 or equivalent and to provide a certificate of insurance and additional insured endorsement. Commercial general liability insurance and endorsements shall be kept in force at all times during the performance of this Agreement.

B. Each Party shall carry Workers’ Compensation Insurance, as required by the State of California and Employer’s Liability Insurance with a limit of not less than \$1,000,000 each accident for bodily injury and \$1,000,000 each employee for bodily injury by disease.

C. Each Party shall carry Automobile Liability Insurance (or participate in a public agency risk pool for such amount) with coverage at least as broad as ISO Form CA 0001 covering “Any Auto” (Symbol 1), including owned, non-owned and hired autos, or the equivalent with minimum limits of \$1,000,000 each accident.

EXHIBIT E
to CONTRACTING AGENCY AGREEMENT

**BUSINESS ASSOCIATE AGREEMENT
BY AND BETWEEN
CONTRACTING AGENCY AND CONFIRE**

This Business Associate Agreement (“BAA”) is entered into by and between Consolidated Fire Agencies (“Business Associate”), a California joint powers authority existing pursuant to Gov. Code, § 6500 et seq., and the City of Montclair (“Covered Entity”), a fire protection district duly authorized and existing under Health & Safety Code § 13800 et seq. Business Associate and Covered Entity may be collectively referred to as the “Parties” or individually as a “Party.”

RECITALS

Covered Entity is contracting with Business Associate for the performance of certain services (“Services”), as set forth in the Agreement to which this BAA is attached as Exhibit E;

Covered Entity is a covered entity as defined in 45 C.F.R. § 160.103;

Business Associate is a business associate, as defined in 45 C.F.R. § 160.103, of Covered Entity;

45 C.F.R. § 164.504 requires that covered entities enter into agreements with their business associates that satisfy the requirements of 45 C.F.R. § 164.504(e)(2); and

Business Associate and Covered Entity are both governmental entities for the purposes of 45 C.F.R. § 164.504 (e)(3)(i).

AGREEMENT

1. General Terms and Conditions

The General Terms and Conditions to this BAA are set forth in Appendix 1.

The Parties have executed this Agreement on the dates indicated below. The last of the two dates shall be the “Effective Date” of this BAA.

Consolidated Fire Agencies

City of Montclair

Date: May 1, 2024

Date: _____, 2024

By: Nathan Cooke

By: _____

Print Name: Nathan Cooke

Print Name: _____

Its: Interim Communications Director

Its: _____

**APPENDIX 1 TO EXHIBIT E
to CONTRACTING AGENCY AGREEMENT**

General Terms and Conditions to Business Associate Agreement

I. DEFINITIONS.

- a. **Generally.** Capitalized terms used within the BAA without definition, including within this Appendix 1, shall have the meanings ascribed to them in the Health Insurance Portability and Accountability Act and 45 C.F.R. Part 160 and 164 (“HIPAA and HIPAA Regulations”), and the Health Information Technology for Economic and Clinical Health Act and 45 C.F.R. Part 170 (“HITECH Act and Regulations”), as applicable, unless otherwise defined herein. HIPAA and HIPAA Regulations and HITECH Act and Regulations are collectively referred to herein as “Applicable Law”.
- b. **Catch-all Definition.** The following terms used in this BAA shall have the same meaning as those terms in the HIPAA and HIPAA Regulations: Breach, Data Aggregation, Designated Record Set, Disclosure, Health Care Operations, Individual, Minimum Necessary, Notice of Privacy Practices, Protected Health Information, Required By Law, Secretary, Security Incident, Subcontractor, Unsecured Protected Health Information, and Use.

II. OBLIGATIONS AND ACTIVITIES OF BUSINESS ASSOCIATE.

Business Associate agrees to:

- a. Not use or disclose Protected Health Information other than as permitted or required by this BAA, the Agreement, or as required by law;
- b. Use appropriate safeguards, and comply with Subpart C of 45 CFR Part 164 with respect to electronic Protected Health Information, to prevent Use or Disclosure of Protected Health Information other than as provided for by this BAA;
- c. Report to Covered Entity any Use or Disclosure of Protected Health Information not provided for by this BAA of which it becomes aware, including breaches of Unsecured Protected Health Information as required at 45 CFR 164.410, and any Security Incident of which it becomes aware;
- d. In accordance with 45 CFR 164.502(e)(1)(ii) and 164.308(b)(2), if applicable, ensure that any Subcontractors that create, receive,

maintain, or transmit Protected Health Information on behalf of the Business Associate agree to the same restrictions, conditions, and requirements that apply to Business Associate with respect to such information;

- e. Make available Protected Health Information in a Designated Record Set to Covered Entity or to an individual whose Protected Health Information is maintained by Business Associate, or the individual’s designee, and document and retain the documentation required by 45 CFR 164.530(j), as necessary to satisfy Covered Entity’s obligations under 45 CFR 164.524;
- f. Make any amendment(s) to Protected Health Information in a Designated Record Set as directed or agreed to by the Covered Entity pursuant to 45 CFR 164.526, or take other measures as necessary to satisfy Covered Entity’s obligations under 45 CFR 164.526;
- g. Maintain and make available the information required to provide an accounting of Disclosures to the Covered Entity as necessary to satisfy Covered Entity’s obligations under 45 CFR 164.528;
- h. To the extent the Business Associate is to carry out one or more of Covered Entity’s obligation(s) under Subpart E of 45 CFR Part 164, comply with the requirements of Subpart E that apply to the Covered Entity in the performance of such obligation(s); and
- i. Make its internal practices, books, and records available to the Secretary for purposes of determining Business Associate’s or Covered Entity’s compliance with HIPAA and HIPAA Regulations.

III. PERMITTED USES AND DISCLOSURES BY BUSINESS ASSOCIATE.

- a. Business Associate may only Use or Disclose Protected Health Information as necessary to perform the Agreement(s).
- b. Business Associate may Use or Disclose Protected Health Information as required by law.
- c. Business Associate agrees to make Uses and Disclosures and requests for Protected Health Information consistent with Covered Entity’s Minimum Necessary policies and procedures.

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Contracting Agency Agreement between CONFIRE and City of Montclair

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- d. Business Associate may not Use or Disclose Protected Health Information in a manner that would violate Subpart E of 45 CFR Part 164 if done by Covered Entity.

IV. PERMISSIBLE REQUESTS BY COVERED ENTITY.

- a. Covered Entity shall not request Business Associate to Use or Disclose Protected Health Information in any manner that would not be permissible under Subpart E of 45 CFR Part 164 if done by Covered Entity.

V. TERM AND TERMINATION.

- a. Term. This BAA is effective as of the Effective Date and will continue in force until terminated.
- b. Termination for Convenience. Either Party may terminate this BAA at any time, for any reason or for no reason, by giving the other Party at least thirty (30) days' prior written notice.
- c. Obligations of Business Associate Upon Termination. Upon termination of this BAA for any reason, Business Associate shall return to Covered Entity or, if agreed to by Covered Entity, destroy all Protected Health Information received from Covered Entity, or created, maintained, or received by Business Associate on behalf of Covered Entity, that the Business Associate still maintains in any form. Business Associate shall retain no copies of the Protected Health Information. Upon termination of this BAA for any reason, Business Associate, with respect to Protected Health Information received from Covered Entity, or created, maintained, or received by Business Associate on behalf of Covered Entity, shall:
 - i. Retain only that Protected Health Information which is necessary for Business Associate to continue its proper management and administration or to carry out its legal responsibilities;
 - ii. Return to Covered Entity or, if agreed to by Covered Entity, destroy the remaining Protected Health Information that the Business Associate still maintains in any form;
 - iii. Continue to use appropriate safeguards and comply with Subpart C of 45 CFR Part 164 with respect to electronic Protected Health Information to prevent use or disclosure of the Protected Health Information, other than as provided for in this Section, for as long as Business Associate retains the Protected Health Information;

- iv. Not use or disclose the Protected Health Information retained by Business Associate other than for the purposes for which such Protected Health Information was retained and subject to the same conditions which applied prior to termination; and
- v. Return to Covered Entity or, if agreed to by Covered Entity, destroy the Protected Health Information retained by Business Associate when it is no longer needed by Business Associate for its proper management and administration or to carry out its legal responsibilities.
- d. Survival. The obligations of Business Associate under this Section shall survive the termination of this BAA.

VI. MISCELLANEOUS.

- a. Governmental Access to Records. Business Associate shall make its internal practices, books and records relating to the Use and Disclosure of PHI available to the Secretary for purposes of determining Covered Entity's compliance with the Applicable Law. Except to the extent prohibited by law, Business Associate agrees to notify Covered Entity of all requests served upon Business Associate for information or documentation by or on behalf of the Secretary. Business Associate shall provide to Covered Entity a copy of any PHI that Business Associate provides to the Secretary concurrently with providing such PHI to the Secretary.
- b. Public Access and Ownership of Records. Covered Entity is a local agency subject to the Public Records Act, Government Code § 6250 et seq. ("PRA"). In the event that Business Associate receives a request for records prepared, owned, used, or retained by Covered Entity or for records prepared, owned, used, or retained by Business Associate in the course and scope of providing the services for Covered Entity described in the Agreement as amended from time to time ("PRA Request"), Business Associate shall promptly forward a copy of the PRA Request to Covered Entity for fulfillment by the Covered Entity. Business Associate understands and agrees that all records produced under the Agreement as amended from time to time are hereby the property of Covered Entity and cannot be used without Covered Entity's express written permission. Covered Entity shall have all right, title and interest in said records, including the right to secure and

maintain the copyright, trademark and/or patent of said records in the name of the Covered Entity.

- c. Minimum Necessary. To the extent required by the HITECH Act and Regulations, Business Associate shall limit its Use, Disclosure or request of PHI to the Limited Data Set or, if needed, to the minimum necessary to accomplish the intended Use, Disclosure or request, respectively. Effective on the date the Secretary issues guidance on what constitutes “minimum necessary” for purposes of the Applicable Law, Business Associate shall limit its Use, Disclosure or request of PHI to only the minimum necessary as set forth in such guidance.
- d. State Privacy Laws. Business Associate shall comply with California laws to the extent that such state privacy laws are not preempted by Applicable Law.
- e. No Third Party Beneficiaries. Nothing express or implied in this BAA is intended to confer, nor shall anything herein confer, upon any person other than Covered Entity, Business Associate and their respective successors or assigns, any rights, remedies, obligations or liabilities whatsoever.
- f. Effect on Underlying Arrangement. In the event of any conflict between this BAA and any underlying arrangement between

Covered Entity and Business Associate, including the Agreements as amended from time to time, the terms of the BAA shall control with respect to Protected Health Information.

- g. Interpretation. This BAA shall be interpreted as broadly as necessary to implement and comply with Applicable Law. The Parties agree that any ambiguity in the BAA shall be resolved in favor of a meaning that complies and is consistent with the Applicable Law.
- h. Governing Law. This BAA shall be construed in accordance with the laws of the State of California.
- i. Provisions Required by Law Deemed Inserted. Each and every provision of law and clause required by law to be inserted in this BAA shall be deemed to be inserted herein and this BAA shall be read and enforced as though it were included therein.
- j. Severability. In the event that any provision of this BAA shall be construed to be illegal or invalid for any reason, said illegality or invalidity shall not affect the remaining provisions hereof, but such illegal or invalid provision shall be fully severable and this BAA shall be construed and enforced as if such illegal or invalid provision had never been included herein, unless to do so would frustrate the intent and purpose of this BAA.



DISPATCHING COST FOR SERVICES FOR FY 2024-25
CITY OF MONTCLAIR FIRE DEPARTMENT

This Exhibit is subject to renewal annually prior to the expiration of the current Agreement.

A. Operating Costs:
These costs will include the Contracting Agency's share of the Admin/Dispatch Costs (100-400), Management Information Services (MIS-600), and Equipment Reserve (5009) as established by the Contracting Agencies share of total calls for service per the agreement between CONFIRE and the Contracting Agency. Included are direct licensing and support costs for certain additional services as listed in the Service Agreement - Section 4 of Exhibit A: Scope of Services.


Agency % of 2023 Call Volume (share) 1.93%
Operating Costs for 2024-25 \$ 287,259.00

B. Contract Fee (5% of \$287,259 Operating Costs):
Per Exhibit B (Compensation) Section B.1 of agreement. \$ 14,363.00
Total Costs July 1, 2024 thru June 30, 2025 \$ 301,622.00

C. Payments shall be made in quarterly installments of \$ 75,405.50

D. Payment shall be made within thirty (30) days of the issuance of the invoice

No other costs for services are due to CONFIRE JPA pursuant to this dispatch contract except for telephone services charges under paragraph B.3 of Exhibit B in the contract.

 Nathan Cooke (Interim Comm. Director) 5-1-24
CONFIRE Representative Date

City of Montclair Representative Date



CITY COUNCIL AGENDA REPORT

DATE:	JUNE 3, 2024	FILE I.D.:	TRC600
SECTION:	CONSENT - AGREEMENTS	DEPT.:	PUBLIC WORKS
ITEM NO.:	6	PREPARER:	M. HEREDIA
SUBJECT:	CONSIDER APPROVAL OF AGREEMENT NO. 24-44 WITH ECONOLITE SYSTEMS FOR TRAFFIC SIGNAL MAINTENANCE SERVICES, SUBJECT TO ANY REVISIONS DEEMED NECESSARY BY THE CITY ATTORNEY		

REASON FOR CONSIDERATION: The City utilizes Econolite Systems (Econolite) for traffic signal maintenance. The City's current agreement with Econolite expires on June 30, 2024. Both the City and Econolite wish to extend the contract for a one-year term.

A copy of Proposed Agreement No. 24-44, an amendment to the current contract with Econolite Systems for traffic signal maintenance services, is attached for the City Council's review and consideration.

BACKGROUND: The Public Works Department has been using Econolite's services for many years and has been very satisfied with their work. The institutional knowledge brought by the Econolite team provides unsurpassed value to the City's traffic signal system. Additionally, the rapport between Econolite and the City's Traffic Engineering Consultant, AGA Engineers, provides good traffic signal services.

City staff went through a vetting process to make sure that Econolite is the best value for the City. The new agreement's rates are essentially the same as the prior contract and include a compensation adjustment of 3.2 percent based on the Consumer Price Index from July 1, 2023, to the most recent value provided by the U.S. Bureau of Labor Statistics. Proposals from other firms were not sought because Econolite continues to be the best value for the City.

FISCAL IMPACT: The proposed rates are shown in Exhibit A of Agreement No. 24-44. Staff has requested a \$100,000 allocation in the Fiscal Year 2024-25 Budget for these services. Since the amount of work will vary based upon needs and future scheduled maintenance, any adjustment necessary in budget will be assessed during the Mid-Year Budget Review.

RECOMMENDATION: Staff recommends the City Council approve Agreement No. 24-44 with Econolite Systems for traffic signal maintenance services, subject to any revisions deemed necessary by the City Attorney.

AGREEMENT NO. 24-44
AMENDMENT TO AGREEMENT NO. 19-41
WITH ECONOLITE SYSTEMS
FOR TRAFFIC SIGNAL MAINTENANCE SERVICES

This agreement is made and entered into this 1st day of July 2024, by and between the CITY OF MONTCLAIR, a municipal corporation hereinafter designated as "City," and ECONOLITE SYSTEMS, INC., a California corporation, hereinafter designated as "Contractor," and collectively designated as the "Parties."

RECITALS

WHEREAS, Parties originally entered into Agreement No. 19-41 ("Agreement") for traffic signal maintenance services from July 1, 2019 to June 30, 2020; and

WHEREAS, Parties amended the agreement via Agreement No. 20-19 to revise the rate schedule and extend the term to June 30, 2021; and

WHEREAS, Parties further amended the agreement via Agreement No. 21-38 to revise the rate schedule and extend the term to June 30, 2022; and

WHEREAS, Parties further amended the agreement via Agreement No. 22-61 to revise the rate schedule, extend the term to June 30, 2023, and update the indemnification provisions; and

WHEREAS, Parties further amended the agreement via Agreement No. 23-37 to revise the rate schedule, extend the term to June 30, 2024, and update the indemnification provisions; and

WHEREAS, Parties now desire to further extend the agreement and revise the rate schedule.

AGREEMENT

NOW, THEREFORE, IT IS HEREBY AGREED by and between City and Contractor to extend Agreement for a one-year term expiring on June 30, 2025.

BE IT FURTHER AGREED by and between City and Contractor that EXHIBIT A of Agreement referencing COST OF SERVICES shall be replaced with EXHIBIT A of Agreement No. 24-44.

BE IT FURTHER AGREED that all other terms of Agreement No. 19-41 as amended by Agreement Nos. 20-19, 21-38, 22-61, and 23-37 shall remain as set forth therein.

IN WITNESS WHEREOF, the parties hereto have caused these presents to be duly executed with all the formalities required by law on the respective dates set forth opposite their signatures.

CITY OF MONTCLAIR, CALIFORNIA

ECONOLITE SYSTEMS, INC.

By: _____
Javier John Dutrey, Mayor

By: _____
Name, Title:

Attest: _____
Andrea Myrick, City Clerk

By: _____
Name, Title:

Approved as to form:

Diane E. Robbins, City Attorney

Exhibit A



City of Montclair Proposed Rates for 2024-2025 (Inclusive of 3.2% CPI)

Monthly Maintenance / Preventative Maintenance Check per Intersection \$ 89.19

	Description	Rates Per Hour			
		ST	OT	DT	
LABOR RATES					
1	Supervisor	\$ 125.34	\$ -	\$ -	
2	Lead Technician	\$ 148.37	\$ 199.99		\$251.62
3	Technician	\$ 148.37	\$ 199.99		\$251.62
4	Lead Utility Technician	\$ 148.37	\$ 199.99		\$251.62
5	Utility Technican	\$ 148.37	\$ 199.99		\$251.62
6	Lab Technician	\$ 148.37	\$ 199.99		\$251.62
7	Laborer	\$ 148.37	\$ 199.99		\$251.62
8	Relamper	\$ 82.54	\$ 124.69		\$166.66

EQUIPMENT RATES

12	Technician Van	\$ 20.55	Hourly
13	Bucket Truck to 36 feet	\$ 67.81	Hourly
14	Utility Truck	\$ 44.89	Hourly
15	Bucket Truck above 36 feet	\$ 29.28	Hourly
16	Crane Truck	\$ 175.67	Hourly
17	Arrow Board	\$ 73.20	Hourly
18	Air Compressor w/ tools	\$ 50.05	Hourly
19	Dump Truck	\$ 16.17	Hourly

Materials

All 20% Markup

Miscellaneous

6-foot diameter loop and lead-in cable Passthrough invoice with 10% Administrative Markup

1250 N. Tustin Avenue ◊ Anaheim, California 92807 ◊ Ph: (714) 238-9277 ◊ Fax: (714) 630-1973

econolite.com ◊ feedback.econolite.com



CITY COUNCIL AGENDA REPORT

DATE:	JUNE 3, 2024	FILE I.D.:	PUB115
SECTION:	CONSENT - AGREEMENTS	DEPT.:	PUBLIC WORKS
ITEM NO.:	7	PREPARER:	M. HEREDIA
SUBJECT:	CONSIDER APPROVAL OF AGREEMENT NO. 24-45 WITH AGA ENGINEERS FOR TRAFFIC ENGINEERING SERVICES, SUBJECT TO ANY REVISIONS DEEMED NECESSARY BY THE CITY ATTORNEY		

REASON FOR CONSIDERATION: Agreement No. 19-42 with AGA Engineers (AGA) for traffic engineering services expires on June 30, 2024. Both the City and AGA wish to enter into a new agreement. Agreements with the City require City Council approval.

A copy of Proposed Agreement No. 24-45 with AGA for traffic engineering services is attached for the City Council's review and consideration.

BACKGROUND: Traffic engineering services for smaller cities are typically provided through contracts with consultants specializing in traffic engineering. The City of Montclair has been using AGA and its predecessor, Mohle Grover and Associates, since 1990 for these services. Sample services include signal timing monitoring and changes, review of traffic issues related to development activities, warrant analyses for signals and stop signs, and other on-call services, as necessary.

AGA's 33 years of service to the City of Montclair uniquely qualifies them to continue to provide traffic engineering services. Their institutional knowledge of the City's traffic infrastructure provides a value that could not be matched by any other firm. Proposals from other firms were not sought, since no other firm has the institutional knowledge of the City's traffic infrastructure. Additionally, AGA's fees are regularly audited by Caltrans to establish that charges are reasonable and meet the requirements set forth in 48 Code of Federal Regulations. Therefore, staff recommends to continue utilizing AGA to provide traffic engineering services since it is in the City's best interest and provides the best value.

FISCAL IMPACT: It is anticipated that monthly invoices over the next 12-month period would likely average between \$5,000 to \$6,000. Staff has requested a \$48,000 allocation in the Fiscal Year 2024-25 Budget for these services. Since the amount of work will vary based upon needs and future development, any adjustment necessary in the budget will be assessed during the Mid-Year Budget Review.

RECOMMENDATION: Staff recommends the City Council approve Agreement No. 24-45 with AGA Engineers for traffic engineering services, subject to any revisions deemed necessary by the City Attorney.

CITY OF MONTCLAIR
AGREEMENT FOR CONSULTANT SERVICES
FOR TRAFFIC ENGINEERING

THIS AGREEMENT is made and effective as of July 1, 2024, between the City of Montclair, a municipal corporation ("City") and AGA Engineers, Inc. a California corporation ("Consultant"). In consideration of the mutual covenants and conditions set forth herein, the parties agree as follows:

1. **TERM**

This Agreement shall commence on July 1, 2024 and shall remain and continue in effect for a period of 60 months until tasks described herein are completed, but in no event later than June 30, 2029, unless sooner terminated pursuant to the provisions of this Agreement.

2. **SERVICES**

Consultant shall perform the tasks described and set forth in Exhibit A, attached hereto and incorporated herein as though set forth in full. Consultant shall complete the tasks according to the schedule of performance, which is also set forth in Exhibit A.

3. **PERFORMANCE**

Consultant shall at all times faithfully, competently and to the best of his/her ability, experience and talent, perform all tasks described herein. Consultant shall employ, at a minimum, generally accepted standards and practices utilized by persons engaged in providing similar services as are required of Consultant hereunder in meeting its obligations under this Agreement.

4. **CITY MANAGEMENT**

City's City Manager shall represent City in all matters pertaining to the administration of this Agreement, review and approval of all products submitted by Consultant, but not including the authority to enlarge the tasks to be performed or change the compensation due to Consultant. City's City Manager shall be authorized to act on City's behalf and to execute all necessary documents which enlarge the Tasks to be Performed or change Consultant's compensation, subject to Section 6 hereof.

5. **PAYMENT**

(a) The City agrees to pay Consultant monthly, in accordance with the payment rates and terms and the schedule of payment as set forth in Exhibit B, attached hereto and incorporated herein by this reference as though set forth in full, based upon actual time spent on the above tasks.

(b) Consultant shall not be compensated for any services rendered in connection with its performance of this Agreement which are in addition to those set forth herein, unless such additional services are authorized in advance and in writing by the City Manager. Consultant shall be compensated for any additional services in the amounts and in the manner as agreed to by City Manager and Consultant at the time City's written authorization is given to Consultant for the performance of said services. Any additional work in excess of this amount shall be approved by the City Council.

(c) Consultant will submit invoices monthly for actual services performed. Said invoices shall detail all costs, rates and hours for individual tasks. Invoices shall be submitted on or about the first business day of each month, or as soon thereafter as practical, for services provided in the previous month. Payment shall be made within thirty (30) days of receipt of each invoice as to all non-disputed fees. If the City disputes any of the Consultant's fees, it shall give written notice to Consultant within thirty (30) days of receipt of an invoice of any disputed fees set forth on the invoice.

(d) Consultant agrees that, in no event shall City be required to pay to Consultant any sum in excess of ninety-five percent (95%) of the maximum payable hereunder prior to receipt by City of all final documents, together with all supplemental technical documents, as described herein acceptable in form and content to City. Final payments shall be made no later than sixty (60) days after presentation of final documents and acceptance thereof by City.

(e) Each July after the first year of the Agreement, the hourly rates set forth in Exhibit B shall be subject to change in accordance with Labor Agreements of Consultant's office and field personnel. Consultant shall submit the new hourly rate schedule to City for approval or rejection, which shall occur within 30 days following submission. If City rejects the revised rate schedule, this Agreement shall terminate. If City accepts the revised rate schedule, this Agreement shall continue with the revised rate schedule. Authority to reject or accept the revised rate schedule is delegated to the City Manager.

6. SUSPENSION OR TERMINATION OF AGREEMENT WITHOUT CAUSE

(a) The City may at any time, for any reason, with or without cause, suspend or terminate this Agreement, or any portion hereof, by serving upon the Consultant at least ten (10) days prior written notice. Upon receipt of said notice, the Consultant shall immediately cease all work under this Agreement, unless the notice provides otherwise. If the City suspends or terminates a portion of this Agreement, such suspension or termination shall not make void or invalidate the remainder of this Agreement.

(b) In the event this Agreement is terminated pursuant to this Section, the City shall pay to Consultant on a pro-rata basis the actual value of the work performed up to the time of termination, provided that the work performed is of value to the City. Upon termination of the Agreement pursuant to this Section, the Consultant will submit an invoice to the City pursuant to Section 6(c).

7. DEFAULT OF CONSULTANT

(a) The Consultant's failure to comply with the provisions of this Agreement shall constitute a default. In the event that Consultant is in default for cause under the terms of this Agreement, City shall have no obligation or duty to continue compensating Consultant for any work performed after the date of default and can terminate this Agreement immediately by written notice to the Consultant. If such failure by the Consultant to make progress in the performance of work hereunder arises out of causes beyond the Consultant's control, and without fault or negligence of the Consultant, it shall not be considered a default.

(b) If the City Manager or his/her delegate determines that the Consultant is in default in the performance of any of the terms or conditions of this Agreement, he/she shall cause to be served upon the Consultant a written notice of the default. The Consultant shall have ten (10) days after service upon it of said notice in which to cure the default by rendering a satisfactory performance. In the event that the Consultant fails to cure its default within such period of time, the City shall have the right, notwithstanding any other provision of this Agreement, to terminate this Agreement without further notice and without prejudice to any other remedy to which it may be entitled at law, in equity or under this Agreement.

8. OWNERSHIP OF DOCUMENTS

(a) Consultant shall maintain complete and accurate records with respect to billed time, sales, costs, expenses, receipts and other such information required by City that relate to the performance of services under this Agreement. Consultant shall maintain adequate records of services provided in sufficient detail to permit an evaluation of services. All such records shall be maintained in accordance with generally accepted accounting principles and shall be clearly identified and readily accessible. Consultant shall provide free access to the representatives of City or its designees at reasonable times to such books and records; shall give City the right to examine and audit said books and records; shall permit City to make transcripts therefrom as necessary; and shall allow inspection of all work, data, documents, proceedings, and activities related to this Agreement. Such records, together with supporting documents, shall be maintained for a period of three (3) years after receipt of final payment.

(b) Upon completion of, or in the event of termination or suspension of this Agreement, all original documents, claims, applications, computer files, notes, and other documents prepared in the course of providing the services to be performed pursuant to this Agreement shall become the sole property of the City and may be used, reused, or otherwise disposed of by the City without the permission of the Consultant. With respect to computer files, Consultant shall make available to the City, at the Consultant's office and upon reasonable written request by the City, the necessary computer software and hardware for purposes of accessing, compiling, transferring and printing computer files.

9. INDEMNIFICATION

(a) Indemnification for Professional Liability. When the law establishes a professional standard of care for Consultant's services, to the fullest extent permitted by law, Consultant shall indemnify, protect, defend and hold harmless City and any and all of its officials, employees and agents ("Indemnified Parties") from and against any and all losses, liabilities, damages, costs and expenses, including attorney's fees and costs to the extent same are caused in whole or in part by any negligent or wrongful act, error or omission of Consultant, its officers, agents, employees or subconsultants (or any entity or individual that consultant shall bear the legal liability thereof) in the performance of professional services under this Agreement.

(b) Indemnification for Other Than Professional Liability. Other than in the performance of professional services and to the full extent permitted by law, Consultant shall indemnify, defend and hold harmless City, and any and all of its employees, officials, and agents ("Indemnified Parties") from and against any liability (including liability for claims, suits, actions, arbitration proceedings, administrative proceedings, regulatory proceedings, losses, expenses or costs of any kind, whether actual, alleged or threatened, including attorney's fees and costs, court costs, interest, defense costs, and expert witness fees), where the same arise out of, are a consequence of, or are in any way attributable to, in whole or in part, the performance of this Agreement by Consultant or by any individual or entity for which Consultant is legally liable, including but not limited to officers, agents, employees or subconsultants of Consultant. Said indemnification shall include any claim that Consultant, or Consultant's employees or agents, are considered to be employees of the City or are entitled to any employee benefits from City, including but not limited to those available under Public Employees Retirement Law. Said obligation to indemnify, defend and hold harmless the Indemnified Parties shall apply to all liability as defined above whether the Indemnified Parties were actively or passively negligent, except that it shall not apply to claims arising from the sole negligence or willful misconduct of the Indemnified Parties. The Consultant's obligation to defend the Indemnified Parties is not contingent upon there being an acknowledgement or determination of the merit of any claims, liability, demands, causes of action, suits, losses, expenses, errors, omissions and/or costs.

(c) General Indemnification Provisions. Consultant agrees to obtain executed indemnity agreements with provisions identical to those set forth here in this section from each and every subconsultant or other person or entity involved by, for, with, or on behalf of Consultant in the performance of this Agreement. In the event Consultant fails to obtain such indemnity obligations from others as required here, Consultant agrees to be fully responsible according to the terms of this section. Failure of City to monitor compliance with these requirements imposes no additional obligations on City and will in no way act as a waiver of any rights hereunder. This obligation to indemnify and defend City as set forth here is binding on the successors, assigns or heirs of Consultant and shall survive the termination of this Agreement or this section. These indemnification provisions are independent of and shall not in any way be limited by the insurance requirements of this Agreement. City approval of the insurance required by this Agreement does not in any way relieve the Consultant from liability under this section.

10. INSURANCE

The City reserves the right to modify these requirements, including limits, based on the nature of the risk, prior experience, insurer, coverage, or other special circumstances.

(a) Types of Required Coverages

Without limiting the indemnity provisions of the Contract, the Contractor shall procure and maintain in full force and effect during the term of the Contract, the following policies of insurance. If the existing policies do not meet the insurance requirements set forth herein, Contractor agrees to amend, supplement or endorse the policies to do so.

- (1) **Commercial General Liability:** Commercial General Liability Insurance which affords coverage at least as broad as Insurance Services Office “occurrence” form CG 00 01, including products and completed operations, property damage, bodily injury, and personal & advertising injury with limits no less than \$2,000,000 per each occurrence. If a general aggregate limit applies, either the general aggregate limit shall apply separately to this project/location or the general aggregate limit shall be twice the required occurrence limit. Such limit(s) may be satisfied by a combination of both primary and excess coverage.
- (2) **Automobile Liability Insurance:** Automobile Liability Insurance with coverage at least as broad as Insurance Services Office Form CA 0001 covering “Any Auto” (Symbol 1), including owned, non-owned and hired autos, or the exact equivalent, with minimum limits of \$2,000,000 for bodily injury and property damage, each accident. If Contractor owns no vehicles, auto liability coverage may be provided by means of a non-owned and hired auto endorsement to the general liability policy. Automobile liability insurance and endorsements shall be kept in force at all times during the performance of this Agreement. Such limit(s) may be satisfied by a combination of both primary and excess coverage.
- (3) **Workers’ Compensation:** Workers’ Compensation Insurance, as required by the State of California and Employer’s Liability Insurance with a limit of not less than \$1,000,000 each accident for bodily injury and \$1,000,000 each employee for bodily injury by disease.
- (4) **Professional Liability:** Professional Liability insurance with limit of not less than \$3,000,000 each claim and annual aggregate. Covered professional services shall specifically include all services to be performed under the Agreement and delete any exclusion that may potentially affect the work to be performed.

(b) Endorsements

Insurance policies shall not be in compliance if they include any limiting provision or endorsement. The insurance policies shall contain, or be endorsed to contain, the following provisions:

- (1) Commercial General Liability

Additional Insured: The City, its elected officials, officers, employees, and boards shall be additional insureds with regard to liability and defense of suits or claims arising out of the services performed by or on behalf of the Contractor including materials, parts or equipment furnished in connection with such work or operations. Coverage for the additional insureds shall apply to the fullest extent permitted by law.

Additional Insured Endorsements shall not:

1. Be limited to "Ongoing Operations"
2. Exclude "Contractual Liability"
3. Restrict coverage to the "Sole" liability of contractor
4. Exclude "Third-Party-Over Actions"
5. Contain any other exclusion contrary to the Agreement

Additional Insured Endorsements shall be at least as broad as ISO Forms CG 20 10 11 85; or CG 20 and 10 and CG 2037.

Primary Insurance: This insurance shall be primary and any other insurance whether primary, excess, umbrella or contingent insurance, including deductible, or self-insurance available to the insureds added by endorsement shall be in excess of and shall not contribute with this insurance. Coverage shall be at least as broad as ISO CG 20 01 04 13.

(2) Auto Liability

Additional Insured: The City, its elected official, officers, employees, and boards, shall be additional insureds with regard to liability and defense of suits or claims arising out of the work or operations performed by or on behalf of the Contractor.

Primary Insurance: This insurance shall be primary and any other insurance whether primary, excess, umbrella or contingent insurance, including deductible, or self-insurance available to the insureds added by endorsement shall be in excess of and shall not contribute with this insurance.

(3) Workers' Compensation

Waiver of Subrogation: A waiver of subrogation stating that the insurer waives all rights of subrogation against the indemnified parties.

(c) Notice of Cancellation

Required insurance policies shall not be cancelled or non-renewed until a thirty (30) day written notice of cancellation has been served upon the Consultant except ten (10) days shall be allowed for non-payment of premium. Consultant agrees to provide City with timely copies of any cancellation or non-renewal notice(s) it may receive from the insurers.

(d) Waiver of Subrogation

Required insurance coverages shall not prohibit Contractor from waiving the right of subrogation prior to a loss. Contractor shall waive all rights of subrogation against the indemnified parties and policies shall contain or be endorsed to contain such a provision. This provision applies regardless of whether the City has received a waiver of subrogation endorsement from the insurer.

(e) Evidence of Insurance

All policies, endorsements, certificates, and/or binders shall be subject to approval by the City as to form and content. These requirements are subject to amendment or waiver only if so approved in writing by the City. The City reserves the right to require complete, certified copies of all required insurance policies, including endorsements required by these specifications, at any time.

The certificates and endorsements for each insurance policy shall be digitally signed by a person authorized by that insurer to bind coverage on its behalf. At expiration of any such policy, evidence of insurance showing that such insurance coverage has been renewed or extended shall be filed with the City. If such coverage is cancelled or non-renewed, Contractor shall, within ten (10) days after receipt of written notice of such cancellation or non-renewal of coverage, file with the City evidence of insurance showing that the required insurance has been reinstated or has been provided through another insurance company or companies.

(f) Deductible or Self-Insured Retention

Any deductible or self-insured retention must be approved in writing by the City and shall protect the indemnified parties in the same manner and to the same extent as they would have been protected had the policy or policies not contained a deductible or self-insured retention. The City may require the Consultant to purchase coverage with a lower retention or provide proof of ability to pay losses and related investigations, claim administration and defense expenses within the retention. The policy language shall provide, or be endorsed to provide, that the self-insured retention may be satisfied by either the Contractor or the City.

(g) Contractual Liability/Insurance Obligations

The coverage provided shall apply to the obligations assumed by the Contractor under the indemnity provisions of this Agreement. The insurance obligations under this Agreement shall be: (1) all the insurance coverage and/or limits carried by or available to the Contractor; or (2) the minimum insurance coverage requirements and/or limits shown in this Agreement; whichever is greater. Any insurance proceeds in excess of or broader than the minimum required coverage and/or minimum required limits, which are applicable to a given loss, shall be available to the City. No representation is made that the minimum insurance requirements of this Agreement are sufficient to cover the obligations of the Contractor under this Agreement.

(h) Failure to Maintain Coverage

Contractor agrees to suspend and cease all operations hereunder during such period of time as the required insurance coverage is not in effect and evidence of insurance has not been furnished to the City. The City shall have the right to withhold any payment due Contractor until Contractor has fully complied with the insurance provisions of this Contract. In addition, the City may either immediately terminate this Agreement or, if insurance is available at a reasonable cost, City may take out the necessary insurance and pay, at Contractor's expense, the premium thereon.

In the event that the Contractor's operations are suspended for failure to maintain required insurance coverage, the Contractor shall not be entitled to an extension of time for completion of the Work because of production lost during suspension.

(i) Acceptability of Insurers

Each such policy shall be from a company or companies with a current A.M. Best's rating of no less than A:VII and authorized to do business in the State of California, or otherwise allowed to place insurance through surplus line brokers under applicable provisions of the California Insurance Code or any federal law. Any other rating must be approved in writing in accordance with the City.

(j) Claims Made Policies

If coverage is written on a claims-made basis, the retroactive date on such insurance and all subsequent insurance shall coincide or precede the effective date of the initial Contractor's Agreement with the City and continuous coverage shall be maintained or an extended reporting period shall be exercised for a period of at least five (5) years from termination or expiration of this Agreement.

(k) Insurance for Subcontractors

Contractor shall be responsible for causing Subcontractors to purchase the same types and limits of insurance in compliance with the terms of this Agreement, including adding the City as an Additional Insured, providing Primary and Non-Contributory coverage and Waiver of Subrogation to the Subcontractors' policies. The Commercial General Liability Additional Insured Endorsement shall be on a form at least as good as CG 20 38 04 13.

(l) Excess or Umbrella Liability Policies

If any excess or umbrella liability policies are used to meet the limits of liability required by this Agreement, then said policies shall be "following form" of the underlying policy coverage, terms, conditions, and provisions and shall meet all the insurance requirements stated in this Agreement, including, but not limited to the additional insured, primary & non-contributory and waiver of subrogation insurance requirements stated herein. No insurance policies or self-insurance maintained by the City, whether primary, reinsurance or excess, and which also apply to a loss covered hereunder, shall be called upon to contribute to a loss until Contractor's primary and excess/umbrella liability policies are exhausted.

11. INDEPENDENT CONTRACTOR

(a) Consultant is and shall at all times remain as to the City a wholly independent contractor. The personnel performing the services under this Agreement on behalf of Consultant shall at all times be under Consultant's exclusive direction and control and shall not be construed to be employees of City for any purpose, including eligibility under Public Employees Retirement Law. Neither City nor any of its officers, employees, or agents shall have control over the conduct of Consultant or any of Consultant's officers, employees, or agents, except as set forth in this Agreement. Consultant shall not at any time or in any manner represent that it or any of its officers, employees, or agents are in any manner officers, employees, or agents of the City.

Consultant shall not incur or have the power to incur any debt, obligation, or liability whatever against City, or bind City in any manner.

(b) No employee benefits shall be available to Consultant in connection with the performance of this Agreement. Except for the fees paid to Consultant as provided in the Agreement City shall not pay salaries, wages, or other compensation to Consultant for performing services hereunder for City. City shall not be liable for compensation or indemnification to Consultant for injury or sickness arising out of performing services hereunder.

12. LEGAL RESPONSIBILITIES

The Consultant shall keep itself informed of State and Federal laws and regulations which in any manner affect those employed by it or in any way affect the performance of its services pursuant to this Agreement. The Consultant shall at all times observe and comply with all such laws and regulations. The City, and its officers and employees, shall not be liable at law or in equity occasioned by failure of the Consultant to comply with this Section.

13. UNDUE INFLUENCE

Consultant declares and warrants that no undue influence or pressure is used against or in concert with any officer or employee of the City of Montclair in connection with the award, terms or implementation of this Agreement, including any method of coercion, confidential financial arrangement, or financial inducement. No officer or employee of the City of Montclair will receive compensation, directly or indirectly, from Consultant, or from any officer, employee or agent of Consultant, in connection with the award of this Agreement or any work to be conducted as a result of this Agreement. Violation of this Section shall be a material breach of this Agreement entitling the City to any and all remedies at law or in equity.

14. NO BENEFIT TO ARISE TO LOCAL EMPLOYEES

No member, officer, or employee of City, or their designees or agents, and no public official who exercises authority over or responsibilities with respect to the Project during his/her tenure or for one year thereafter, shall have any interest, direct or indirect, in any agreement or sub-agreement, or the proceeds thereof, for work to be performed in connection with the project performed under this Agreement.

15. RELEASE OF INFORMATION/CONFLICTS OF INTEREST

(a) All information gained by Consultant in performance of this Agreement shall be considered confidential and shall not be released by Consultant without City's prior written authorization. Consultant, its officers, employees, agents, or subconsultants, shall not without written authorization from the City Manager or unless requested by the City Attorney, voluntarily provide declarations, letters of support, testimony at depositions, responses to interrogatories, or other information concerning the work performed under this Agreement or relating to any project or property located within the City. Response to

a subpoena or court order shall not be considered "voluntary" provided Consultant gives City notice of such court order or subpoena.

(b) Consultant shall promptly notify City should Consultant, its officers, employees, agents or subconsultants be served with any summons, complaint, subpoena, notice of deposition, request for documents, interrogatories, requests for admissions, or other discovery request, court order, or subpoena from any person or party regarding this Agreement and the work performed thereunder or with respect to any project or property located within the City. City retains the right, but has no obligation, to represent Consultant and/or be present at any deposition, hearing, or similar proceeding. Consultant agrees to cooperate fully with City and to provide the opportunity to review any response to discovery requests provided by Consultant. However, City's right to review any such response does not imply or mean the right by City to control, direct, or rewrite said response.

(c) Consultant covenants that neither he/she nor any office or principal of their firm have any interest in, or shall acquire any interest, directly or indirectly, which will conflict in any manner or degree with the performance of their services hereunder. Consultant further covenants that in the performance of this Agreement, no person having such interest shall be employed by them as an officer, employee, agent or subconsultant. Consultant further covenants that Consultant has not contracted with nor is performing any services, directly or indirectly, with any developer(s) and/or property owner(s) and/or firm(s) and/or partnership(s) owning property in the City or the study area and further covenants and agrees that Consultant and/or its subconsultants shall provide no service or enter into any agreement or agreements with a/any developer(s) and/or property owner(s) and/or firm(s) and/or partnership(s) owning property in the City or the study area prior to the completion of the work under this Agreement.

16. NOTICES

Any notices which either party may desire to give to the other party under this Agreement must be in writing and may be given either by (i) personal service, (ii) delivery by a reputable document delivery service, such as but not limited to, Federal Express, which provides a receipt showing date and time of delivery, or (iii) mailing in the United States Mail, certified mail, postage prepaid, return receipt requested, addressed to the address of the party as set forth below or at any other address as that party may later designate by notice:

To City:	Monica Heredia, P.E., City Engineer City of Montclair 5111 Benito Street Montclair, CA 91763
----------	---

To Consultant: Chalap Sadam, President
 AGA Engineers, Inc.
 211 East Imperial Highway, Suite 208
 Fullerton, CA 92835

17. ASSIGNMENT

The Consultant shall not assign the performance of this Agreement, nor any part thereof, nor any monies due hereunder, without prior written consent of the City. Because of the personal nature of the services to be rendered pursuant to this Agreement, only Chalap Sadam, Greg Wong, Phillip Fuentes, Ruben Perales, Jessica Espinoza, and the rest of the team identified in the service delivery organization chart portion of the proposal (responsible employees) shall perform the services described in this Agreement.

Consultant's responsible employee may use assistants, under his direct supervision, to perform some of the services under this Agreement. Consultant shall provide City fourteen (14) days' notice prior to the departure of the responsible employee from Consultant's employ. Should he leave Consultant's employ, the City shall have the option to immediately terminate this Agreement, within three (3) days of the close of said notice period. Upon termination of this Agreement, Consultant's sole compensation shall be payment for actual services performed up to, and including, the date of termination or as may be otherwise agreed to in writing between the City Council and the Consultant.

18. LICENSES

At all times during the term of this Agreement, Consultant shall have in full force and effect, all licenses required of it by law for the performance of the services described in this Agreement, including a City of Montclair business license.

19. GOVERNING LAW

The City and Consultant understand and agree that the laws of the State of California shall govern the rights, obligations, duties, and liabilities of the parties to this Agreement and also govern the interpretation of this Agreement. Any litigation concerning this Agreement shall take place in the municipal, superior, or federal district court with jurisdiction over the City of Montclair.

20. ENTIRE AGREEMENT

This Agreement contains the entire understanding between the parties relating to the obligations of the parties described in this Agreement. All prior or contemporaneous agreements, understandings, representations, and statements, oral or written, are merged into this Agreement and shall be of no further force or effect. Each party is entering into this Agreement based solely upon the representations set forth herein and upon each party's own independent investigation of any and all facts such party deems material.

21. CONTENTS OF REQUEST FOR PROPOSALS

Consultant is bound by the contents of City’s Request for Proposal, incorporated herein by this reference, and the contents of the proposal submitted by the Consultant. In the event of conflict, the requirements of City’s Request for Proposals and this Agreement shall take precedence over those contained in the Consultant’s proposals.

22. CONFIDENTIALITY

Information and materials obtained by the Consultant from City during the performance of this Agreement shall be treated as strictly confidential and shall not be used by the Consultant for any purpose other than the performance of this Agreement.

23. DISCRIMINATION

The Consultant agrees that no person shall be excluded from employment in the performance of this Agreement on grounds of race, creed, color, sex, age, marital status, or place of national origin. In this connection, the Consultant agrees to comply with all County, State and Federal laws relating to equal employment opportunity rights.

24. EFFECT OF PARTIAL INVALIDITY

If any term or provision of this Agreement shall be held invalid or unenforceable, the remainder of this Agreement and any application of the terms shall remain valid and enforceable under this Agreement or California law.

25. AUTHORITY TO EXECUTE THIS AGREEMENT

The person or persons executing this Agreement on behalf of Consultant warrants and represents that he/she has the authority to execute this Agreement on behalf of the Consultant and has the authority to bind Consultant to the performance of its obligations hereunder.

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed the day and year first above written.

CITY OF MONTCLAIR

AGA ENGINEERS, INC.

By: _____
Javier John Dutrey, Mayor

By: _____
Name:
Title:

Attest:

By: _____
Andrea M. Myrick, City Clerk

By: _____
Name:
Title:

Approved as to Form:

By: _____
Diane E. Robbins, City Attorney

TECHNICAL PROPOSAL

On-Call Traffic and Transportation Engineering Services



May 28, 2024





May 28, 2024

Ms. Monica Heredia
Director Of Public Works/City Engineer
City of Montclair
5111 Benito Street
Montclair, California 91763

RE: Technical Proposal for On-Call Traffic and Transportation Engineering Services

Dear Ms. Heredia:

AGA Engineers, Inc. (AGA) is pleased to submit this Technical Proposal to provide professional On-Call Traffic Engineering Services.

AGA is a full-service traffic engineering consulting firm whose engineering staff has been providing as-needed traffic engineering and field support services to many municipalities. Our Team has provided these services to the City of Montclair since 1993 and we have done so in an expeditious and cost-effective manner. We are currently providing various cities with assistance in the areas of traffic signal design, various types of traffic studies and analyses, Planning Commission report preparation, plan checking services, grant application support and project administration, traffic signal and communications design, ITS design, traffic signal timing and coordination studies, traffic counts and data collection, and other associated traffic engineering services. We have also designed and installed various Intelligent Transportation System (ITS) elements including CCTV cameras, fiber optic communication systems, wireless interconnect systems, and upgraded multiple centralized control systems in various cities in Orange, Los Angeles, San Bernardino, and Riverside Counties.

In addition to providing traditional as-needed transportation engineering services, the AGA team is recognized for our considerable expertise in the planning, design, and operation of complex traffic control and ITS systems. Over the past few years, AGA staff have designed and completed traffic signal plans, specifications, and estimate packages, as well as created synchronized traffic signal timing plans for hundreds of traffic signals on various arterial corridors for SBCTA on the Countywide San Bernardino Valley Traffic Signal Coordination Project Tiers 1 and 2, which included the design and construction of multiple Traffic Management Centers (TMC). In addition, the AGA Team has completed the design of multiple Traffic Signal Synchronization Program projects throughout Los Angeles County, and in Orange County as part of OCTA's Regional Traffic Signal Synchronization Program.

As the Proposed Project Manager, I have over three decades of experience working on a multitude of traffic engineering projects throughout Southern California. Qualifications for me and the AGA Team are detailed in this proposal. Also included are the AGA team's traffic and transportation engineering knowledge and background, highlights of our municipal experience, agency references, staff resumes, and details of our understanding of the types of traffic engineering services that the City may need.

AGA Engineers, Inc.
211 Imperial Highway, Suite 208, Fullerton, CA 92835
(714) 992-4592 Email: aga@agaengineersinc.com

AGA is very excited to have the opportunity to offer this proposal to the City of Montclair and we look forward to continuing to work with you in the future. It is our goal to work with you and your staff seamlessly as part of a highly efficient team completing the important work of the City – getting it right the first time with minimal demands on you and your staff.

We at AGA look forward to building a relationship with the City as we assist you with making the City of Montclair a better place to live, work, shop, and play. If you have any questions or require clarification on any aspect of this submittal, please don't hesitate to give me a call at (714) 992-4592 or contact me via email at chalap@agaengineersinc.com.

Respectfully submitted,

AGA ENGINEERS, INC.



Chalap K. Sadam, PE, TE
President



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Resumes of the AGA Team

Brief History and Description of Firm

Official Name and Address:
 AGA Engineers, Inc.
 211 Imperial Highway, Suite 208
 Fullerton, CA 92835

Phone:
 (714) 992-4592

Email:
 aga@agaengineersinc.com

Website
 agaengineersinc.com

Primary Point of Contact:
 Mr. Chalap K. Sadam, PE, TE
 President
 (714) 992-4592
 chalap@agaengineersinc.com

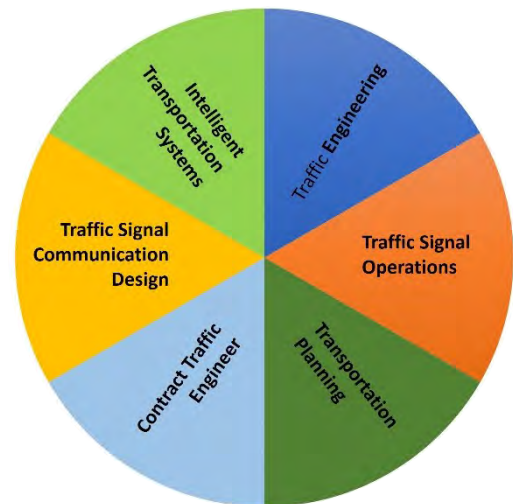
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AGA Engineers, Inc. (AGA) is a California S Corporation with 17 employees, many of whom have worked together for at least five years and the executives have worked together for over 20 years, which is a respectable indication of the stability and compatibility of our team. All work performed under this contract with the City will be conducted by employees located at AGA’s offices in Fullerton.

AGA was founded in 2020 by Mr. Chalap K. Sadam, former Vice President and co-founder of Albert Grover & Associates, which was founded in 1993. The new company was formed after the passing of the founder and CEO, Mr. Albert Grover. After acquiring certain assets from Albert Grover & Associates, and under the leadership of Mr. Sadam, AGA has retained a similar culture and the practices that made our transition seamless to all our clients – largely due to retention of our core team of senior and professional staff who worked under the former company. Our engineers bring more than 30 years of their expertise and experience to AGA allowing us to continue to successfully work for our clients.

AGA is a multidiscipline engineering firm specializing in municipal and transportation engineering. Through the utilization of today’s most sophisticated computer-aided equipment by highly skilled and talented professional engineers and technicians, we are able to provide clients with quality, cost-effective, professional services in a timely manner. Our success can be attributed to our commitment to provide clients with personalized, quality service.

AGA’s wide range of services offered can be divided into six primary areas of expertise: traffic engineering, day-to-day traffic signal operations, transportation planning, traffic signal communication design, operational control of traffic signal systems, and City Traffic Engineer staffing. While we are well known and respected for our work in all of these areas, we are perhaps best known for our widespread knowledge and experience in the field of multijurisdictional traffic signal design and coordination. It should also be noted that AGA operates over 200 traffic signals on behalf of five jurisdictions in Southern California. Those traffic signals are remotely monitored and controlled from the Traffic Management Center located in AGA’s Fullerton office.



AGA’s services are not just routine, but rather the application of experience and knowledge to first properly identify a problem, then provide the most appropriate and cost-effective solution. Each project is unique and carried out with the highest degree of pride and professionalism with a dedication to

satisfying the client’s needs. We offer professional services ranging from the planning and conceptual design stage through the construction supervision and “as-built” stage, placing us among the forerunners in the full-circle service concept.

AGA personnel, some of whom are former governmental employees, have provided services to clients ranging from design and traffic engineering construction support of full freeway interchanges at costs exceeding a million dollars, to minor traffic impact studies costing only a few thousand dollars. Whatever the project, our approach is to complete the project to the satisfaction of the client in as quick a time frame as possible while still producing quality work products.

Our team’s experience with completing small-scale traffic engineering projects ensures that such projects can be completed on time and within budget with minimal demands placed upon City staff. We currently provide such services to several cities in Southern California, including existing on-call contracts with Laguna Niguel, La Habra, Montclair, Cerritos, Costa Mesa, Highland, Huntington Beach, Orange, Victorville, San Dimas, Fountain Valley, and Whittier. Because we are a successful consulting firm with extensive experience in all phases of traffic engineering, we are highly qualified to provide this service. Our goal as on-call engineers is to provide the City with quality service at a fair and reasonable cost.

Our approach to providing professional services and projects is to do more than simply provide labor or prepare design plans and study reports – *we actually improve traffic operations and safety in everything we touch*. We are not a company that simply provides engineering labor to complete client designated tasks; rather, AGA provides a high level of intellectual support to accomplish client objectives. Our unique blend of Civil Engineers, Traffic Engineers, and skilled traffic signal system and communications technicians provides a synergy which results in successful projects beyond client expectations.

We serve as an extension of City staff as well as expert advisors, forming an integrated team to creatively provide solutions to traffic engineering and transportation planning problems. While our designated Project Manager will provide the majority of the management and long-term expertise required, our entire staff will be available and on-call at all times to serve the City. This includes any scheduled meetings at City Hall for both public and City staff liaison, attendance at evening City and neighborhood meetings as required, field studies and analyses, and all other required functions.



A key objective of AGA’s provision of engineering services to the City will be to foster a can-do spirit when working with developers and agency partners on regionally significant projects. Cities are going through a transformation from the way commercial and retail business was conducted in the past to the more modern fast-paced global business of the future. AGA understands this transformative change and we don’t stand in the way of progress but embrace the future transportation needs of a modern business community. We are more than just technically proficient; rather, we are able to collaborate with the City’s development team and regional agencies to create win-win solutions so that intelligent business growth and transportation improvement projects can move forward successfully. We understand that delicate balance of how transportation interacts with business and we have successfully assisted other municipal clients in Orange, Los Angeles, San Bernardino, and Riverside counties to embrace the needs of modern business.

We understand the necessity of balancing the economic advantages of development/redevelopment projects with the potentially negative impacts to traffic flow and circulation of such projects. We have successfully developed mitigations that are both technically and economically feasible for projects ranging from a gas station with a convenience market to a 1.25 million square foot retail mall. A key example of such balancing is the expansion of Montclair Plaza in the City of Montclair. We designed both public roadway improvements and private development traffic improvements (paid for by the developer) which resulted in significantly improved traffic operations in and around the Plaza. The improved mall access increased attendance which subsequently increased sales tax revenue for the City of Montclair.



From installing the first flashing yellow arrow projects in Southern California, to ground-breaking bicycle boulevard projects, to unique traffic calming and school zone safety projects, our team is committed to finding the best solution to complex traffic and transportation challenges for our clients. This more comprehensive view of our roles as traffic engineers, planners, and technicians has evolved from the cumulative individual experiences of our staff while employed at various public agencies. The City will be hard pressed to find another consultant with such far-reaching municipal traffic engineering, traffic operations, and transportation planning experiences in Southern California.

The AGA Team

Our Organization Chart, Staff Qualifications Table, and short biographies of our project team are included below. Full resumes are provided in the Appendix. No changes to key staff will be made without prior written approval by the City. All staff members work out of our office in Fullerton.



AGA Team Qualifications

Name Title	Certification/ Registration	Years of Experience	Years with AGA Team	Education Training
Chalap K. Sadam President	P.E., Civil #74080 P.E., Traffic #1813	34	31	MS-Civil, 1990 MBA, 2002
Greg Wong Vice President	P.E., Civil #64349	28	25	BS-Civil, 1996
Ruben Perales Vice President	P.E., Civil #83169 P.E., Traffic #2838	21	19	BS-Civil, 2005
Henry Hernandez Principal Transportation Engineer	P.E., Civil #72071	40	1	BS-Civil, 1982
Dowling Tsai Senior Transportation Engineer II	P.E., Civil #52870 T.E., Traffic #2267	38	1	BS-Civil, 1986 BA-Architecture, 1986
Phillip Fuentes Senior Signal Systems Specialist	IMSA Traffic Signal Senior Field Technician, Level III	35	17	Signal Technician Level 3
Jessica Reyes Senior Transportation Engineer	E.I.T. #160008	9	9	BS-Civil, 2016
Jorge Sanchez Associate Transportation Engineer I	E.I.T. #173260	3	3	BS-Civil, 2021
Giselle Hernandez Associate Transportation Engineer I		3	3	BS-Civil, 2021
Lucy Ott Assistant Engineer		2	1	BS-Civil, 2023
Phillip Jeremy Fuentes Signal Technician I		2	2	

AGA’s Project Manager



AGA proposes to utilize experienced staff members to complete all phases of projects conducted under the proposed contract, not only for project management but for conducting the vast majority of required engineering efforts as well. **Mr. Chalap Sadam, P.E., T.E., President**, will be the overall Project Manager for all projects and, as such, will be responsible for coordination with the City appointed Project Manager. He will be the supervisor/administrator who will be responsible for delivery of services in accordance with the established Scope of Services in the Consultant Services Agreement with Public Works. He will be responsible for reviewing all project methodologies, work plans and work products. He will also be involved with field reviews of project intersections, design report recommendations, and agency liaison.

Mr. Sadam is a registered Civil and Traffic Engineer with a Master of Science, Civil Engineering (Transportation) degree from Virginia Polytechnic Institute and State University, and a Master of Business Administration degree from the University of Southern California. As a founding member of AGA and with over 33 years of experience, he is a recognized expert of traffic signal communications, Intelligent Transportation Systems (ITS), Traffic Management Centers, centralized traffic signal systems and video management systems.

Mr. Sadam is an insightful leader among tenured professionals and provides guidance to our junior-level staff. His aim is always to establish the most effective and interactive systems possible for large projects, particularly for projects involving multiple jurisdictions. His ability to facilitate traffic signal synchronization projects makes him a valuable asset for our clients and the AGA team.

Over the last five years, Mr. Sadam has been an integral team leader for traffic signal and safety projects including the current SSARP projects in Fountain Valley, Rialto, and Placentia, as well as the Citywide Traffic Analysis project for the City of Torrance. He provides expertise in the preparation of traffic impact studies, development of transportation planning models to evaluate long range impacts, development of signal coordination master plans, preparation of traffic signal coordination timing plans, design and operation of traffic signal systems, design of intersection improvement plans, traffic signal interconnect plans that include the latest advances in ITS technologies, traffic accident analyses, and recommendation of mitigation measures.

Mr. Sadam has performed traffic studies, feasibility studies, safety studies, Major Investment Studies (MIS), long-term roadway improvement studies, and transportation-related Master Plan studies for countless cities and counties throughout Southern California. He is also well-known for his studies involving Regional Traffic Signal Synchronization Programs (RTSSP), working effectively to promote multijurisdictional cooperation between State (Caltrans), county, and city entities to synchronize traffic signals for multiple major corridors in Orange County, Los Angeles County and the San Bernardino Valley.

In addition to Mr. Sadam's expertise and technical acumen, which ensure successful projects, our clients most appreciate his commitment to establish the most effective and interactive systems possible for both large and small projects. Whether facilitating award-winning, multi-million-dollar, multi-jurisdictional transportation communications projects, or applying his expertise to single intersection traffic operations, Mr. Sadam stands out as a meticulous, innovative planner/designer, and an outstanding leader of the AGA team.

AGA's Task Leaders



Mr. Greg Wong, P.E., Vice President will be Task Leader for Transportation Planning and Traffic Studies. He has over 27 years of experience and has completed numerous projects involving state, local, and private agencies. He is involved with developing transportation safety studies, sight distance analyses, traffic signal and stop sign warrant analyses, signal timing development, capacity and Level of Service (LOS) analysis, and environmental impact report review and analysis. He conducts traffic impact studies and assesses traffic impact fees. He is skilled at conducting trip generation studies, reviewing traffic impact analysis, and using a variety of traffic modeling software for both transportation planning and traffic signal operations purposes. He has provided transportation planning services for a variety of projects such as assessing land development projects, reviewing project development traffic signals and site plans, traffic impact studies/analyses, parking and circulation analyses, and traffic forecasting and modeling.

Mr. Wong is currently the contract On-Call Traffic Engineering Support for the City of La Habra. He reviews proposed development site and circulation plans, traffic signal plans, and traffic impact studies. He responds to resident concerns regarding parking, red curb/sight distance requests, school traffic, day-to-day traffic signal monitoring, and operations. He currently is a member of La Habra's Traffic Committee and meets monthly with the group to discuss various transportation topics, projects and concerns throughout the City of La Habra.

Mr. Wong has managed numerous Traffic Signal Synchronization Program (TSSP) projects where he analyzed traffic patterns, provided recommendations and designs for upgrading traffic signals to the latest CA MUTCD guidelines, Caltrans standards and ADA guidelines. He also has vast experience with traffic

signal operations which he applies to many traffic engineering applications. He is familiar with many of the traffic signal controller programs and traffic signal central systems as well as running Automated Traffic Signal Performance Measures (ATSPM) data from the central systems. He has developed traffic signal coordination timing plans for over 1,000 traffic signals throughout Southern California. His knowledge of traffic signal operations enables him to evaluate cost-effective safety measures through traffic signal timing, traffic signal modification plans, and safety assessment studies.



Mr. Ruben Perales, P.E., T.E., Vice President, will lead the transportation engineering and design tasks. He has over 18 years of experience with completing projects that involve state, local, and private agencies. His experience includes both street and highway improvement projects, local city projects, private development projects, and Traffic Signal Synchronization Program (TSSP) projects. He conducts level of service analyses, prepares traffic signal signing/stripping plans, prepares detour plans, and conducts plan checking.

He regularly prepares conceptual improvement plans, designs signal plans, prepares signal coordination plans, and intersection improvement plans to upgrade controllers and connect existing fiber for communication purposes. He conducts field topographic surveys in order to develop design plans to improve intersection safety and update signal hardware to current standards. He has prepared plans for Caltrans, the County of Los Angeles, cities of San Dimas, Montclair, and others, as well as various private developers such as Home Depot and Walmart.

As part of AGA’s current on-call contract with the City of Laguna Beach, Mr. Perales assists the City with a variety of traffic engineering tasks including traffic studies, speed surveys, traffic calming studies, signing and striping plans, traffic signal operation reviews, and responding to resident concerns related to traffic and transportation. He also periodically attends Parking, Traffic, and Circulation Committee meetings when his expertise is needed to discuss certain traffic issues.

Mr. Perales also currently represents the City of San Dimas as their Contract Traffic Engineer. He is responsible for managing engineering related functions such as warrant studies, roadway and intersection designs, traffic analysis and operations relative to traffic control devices, and review of traffic engineering reports and plans (private developments and City capital improvement projects). He is a member of the City’s Traffic Safety Committee and regularly participates in their meetings.



Mr. Phillip Fuentes, Senior Signal Systems Specialist, is our proposed Task Manager for Field Inventory tasks and Implementation Support. He will ensure that the existing traffic signal equipment is inventoried and inspected, and the signal synchronization-related infrastructure at each intersection is assessed to identify possible deficiencies or improvements required. He has been responsible for conducting field reviews of hundreds of signalized intersections, and physically opening controller cabinets and pull boxes to assess the condition and usability of existing equipment. He is a certified Level 3 Technician with extensive experience in the traffic signal maintenance area.

Mr. Fuentes has technical skills that include everything from installing detector loops and conducting preventative maintenance to installing traffic signal equipment (i.e., intersection cabinets, Opticom, controllers, video detection systems, CCTV cameras, fiber optic communications, Ethernet switches), from troubleshooting and providing technical assistance to contractors and the construction of signal and

roadway improvement projects on a day-to-day basis. He creates signal timing charts for new or complex intersections and is highly proficient with all types of communications systems.

AGA's Support Staff

Henry Hernandez, P.E., Principal Transportation Engineer, worked for Los Angeles County Public Works for 38 years. He has extensive experience in traffic signal systems and signal timings. His tasks included preparing, reviewing and approving plans, specifications, estimates, signal timing sheets, signal upgrade recommendations, and traffic studies.

Dowling Tsai, Senior Transportation Engineer, worked in the Traffic Engineering Division of the County of Riverside for 17 years. Before that he work in the City of Santa Ana for 16 years. He has a working knowledge of multiple facets of municipal administration, operations, and maintenance who is able to bring a flexible and situational approach to every project. He is a "hands on" manager style who is innovative, creative, and able to build positive relationships with consultants, contractors, state agencies, city departments and divisions, city staff, various committees, and residents.

Ms. Jessica Reyes, E.I.T., Transportation Engineer I, has expertise which includes traffic signal designs and modifications, fiber communications design, signing and striping, street lighting, design and implementation of bike lanes, and traffic control. She also contributes in the preparation of plans, specifications and estimates, intersection analysis, sight distance analysis, and traffic signal warrants along with other field studies including crossing guard studies, traffic impact studies, traffic operations analysis, and signal coordination timing.

Mr. Jorge Sanchez, E.I.T., Associate Transportation Engineer I, assists with preparing base plans and field data collection efforts such as conduit run verifications and taking inventory of existing equipment. He is proficient with AutoCAD design software, Synchro modeling, Crossroads Database analytics, and Microsoft Office. He recently assisted with signal timing efforts for San Marcos Boulevard and Talbert Avenue. He also developed fiber optic design plans for the Cities of Lake Forest, Mission Viejo and Rancho Santa Margarita as part of various RTSSP projects in South Orange County.

Ms. Vanessa Pedroza, Associate Transportation Engineer I, has completed sight distance analyses for various agencies, conducted field inventories, and has evaluated collision assessments. She is adept with traffic engineering software programs including Synchro, Tru-Traffic, TranSync, Crossroads database software, Adobe Acrobat, and AutoCAD design software. Ms. Pedroza developed coordination signal timing plans for Lake Forest Drive, Mission Boulevard and MacArthur Boulevard in Orange County. She also conducted the fine-tuning and monitoring efforts on the implemented timing plans.

Ms. Giselle Hernandez, Associate Transportation Engineer I, has developed signal modification designs and conducted traffic collision assessments. She is skilled with traffic engineering software programs including Synchro, Tru-Traffic, Adobe Acrobat, and AutoCAD design software. Ms. Hernandez developed coordination signal timing information for the Alameda Avenue Signal Synchronization project in the City of Burbank. She is also currently assisting in the signal timing development and implementation phase of the Portola Parkway/Santa Margarita Parkway corridor RTSSP project.

Lucy Ott, Assistant Engineer, is currently working on two related projects for the City of Whittier which consist of analyzing stopping sight distance, utilizing Synchro to study delay times, and drafting plans using

AutoCAD. Ms. Ott has developed skills in leadership, critical thinking, communication, and time management through her work in Whittier and previous internships during her academic career.

Phillip J. Fuentes, Signal Technician I, provides both onsite and remote support, hardware implementation, and equipment support for AGA clients throughout the Los Angeles Orange, and San Bernardino Counties. He regularly observes the operation of traffic signals and provides daily monitoring of signal systems for the Cities of La Habra, Laguna Niguel, Highland, Fountain Valley, and Montclair.

Firm's Experience

The staff at AGA has been providing traffic engineering services and traffic signal system support services to the City of Montclair for over two decades. As a result of our long association with the City, we are very familiar with the roadways and traffic patterns within Montclair and fully understand the importance of dealing with traffic related problems. Our engineers have completed many traffic projects in the City and have done so on time, within budget, and in a manner that meets all the City's requirements while at the same time placing minimal time and effort requirements on agency staff.

AGA is well qualified to provide the full range of professional traffic engineering services. We feel that our most important qualifications relate not only to providing traffic studies and the development of high-quality documents for projects, but also to problem solving, communication, and a willingness to develop alternative solutions while maintaining public safety. We are proud of our reputation for successfully bringing forward innovative solutions for our municipal clients over the past 30 years.

Unlike most engineering work which is highly regimented with standards and requirements, traffic engineering is much more focused on human behavior. It is commonplace for politicians and the public to have an emotional investment not only with the outcome of traffic investigations and studies, but also the process by which the work is conducted. Therefore, our experienced senior level staff can clearly articulate to our associate and assistant level staff what needs to be done, actively direct staff in performing the work, and communicate progress regularly to the City and the public as appropriate. In all of our communications, be it written or orally, we strive to communicate clearly to serve both City staff and the public alike. It is this clear communication of our progress, findings/results, and recommendations which eliminate issues and problems that cause inefficient project delays and rework.

At AGA we believe that the most effective way to practice municipal traffic engineering is to have seasoned senior level staff members be hands-on in the assessment and direction of work tasks. It is more efficient and cost effective to have an experienced traffic engineer who can quickly observe and assess situations and issues on-site to provide quick and accurate advice or to set the course for a study or traffic design. Many other firms rely on junior or mid-level staff to attend meetings, speak with constituents, conduct field investigations, and set direction on designs or studies. Typically, in such organizations senior level staff primarily remains in the office in more of a contract management or oversight role. Such an arrangement offers an initial low cost but typically results in delays, less than optimum design, a lack of innovation, and rework costing significantly more in the long term.

The AGA approach gets our experienced senior staff out of the office to interact with City staff and the public to quickly get to the root of safety, planning, design, or operational issues and concerns. By putting our best and most experienced front and center, issues and concerns are quickly addressed and good

decisions can be made without the need for delays that less experienced staff need to research or study the problem and potential solutions.

A key factor in providing services to the City is continuing to stay attuned to both the overall direction and the specific requirements of the City staff and the City Council. AGA staff continually increase our knowledge of current traffic engineering considerations via our attendance and presentations at regional (such as the Institute of Transportation Engineers and the City Traffic Engineers) and national (such as Transportation Research Board and Institute of Transportation Engineers) forums, keeping us in the mainstream of state-of-the-art traffic engineering approaches and methodologies. By combining this knowledge, we can optimize the service provided to the City.

Another aspect of our approach to providing traffic engineering and transportation services involves far more than simply providing contract labor on an hourly basis. We consider it our function to serve as an extension of City staff and expert advisors, forming an integrated team to creatively provide solutions to traffic engineering and transportation planning problems. We propose to utilize key senior staff members as managers for each anticipated task.

AGA's entire staff will be available to provide specific required services vis-à-vis each individual's specific expertise, thereby optimizing the services provided in an expeditious and economic manner. Our staff's wide range of knowledge and experience, acquired via providing similar services to a wide range of cities is ideal to provide the City with nearly instantaneous access to any traffic/transportation/parking area of knowledge needed at any given time. This unique experience in viewing problems "from both sides of the fence" has in the past, and will continue in the future, to greatly enhance our ability to serve the City. Understanding basic concerns and constraints as viewed from the City's perspective is a key qualification.



Our creativity also makes us uniquely qualified to serve the City. We know how to listen open-mindedly to both City staff and the public, how to develop alternative solutions to various problems, and how to differentiate cost-effective from cheap. Our ability to develop viable alternative solutions has been instrumental in reaching consensus on controversial issues. Our knowledge of and sensitivity to public needs and concerns, combined with our real world (as opposed to textbook) approach to safety issues, will ensure that

alternative solutions to specific problems can be achieved, while at the same time compromising neither safety nor public needs and desires.

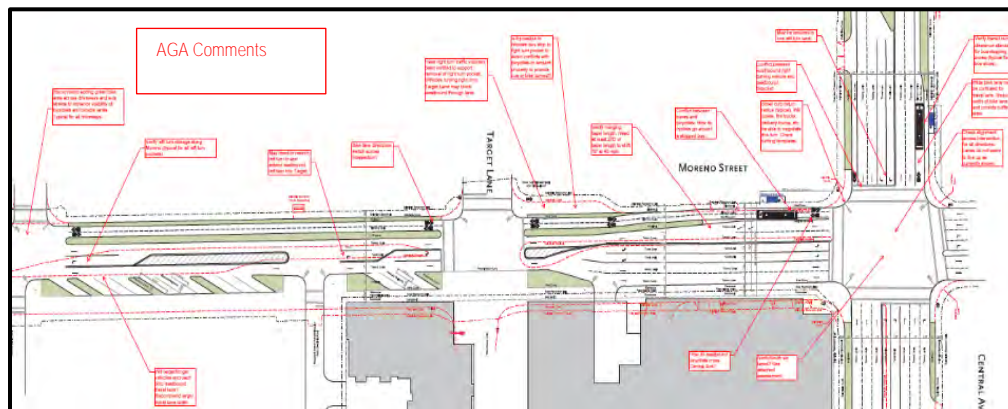
AGA's ongoing relationships with Caltrans staff are especially important relative to coordination of freeway access issues. In addition to developing (and assisting Caltrans in implementing) coordinated timing plans involving both State highway and freeway ramp signals, AGA has successfully negotiated with Caltrans on the behalf of various cities to allow those cities to actually control such State signals. For many years, AGA has worked closely with Caltrans personnel to innovatively address local/State interface traffic issues. Additionally, we designed the interim improvement projects at the I-10/Jackson Street and I-10/Monroe Street interchanges in the City of Indio, including obtaining Caltrans approvals of various Design Exceptions necessary for issuance of the Encroachment Permits, and providing signal timing and operational assistance at turn-on of the new signals at both interchanges.

Following are specific areas of expertise which the AGA Team offers to our clients.

Transportation Planning

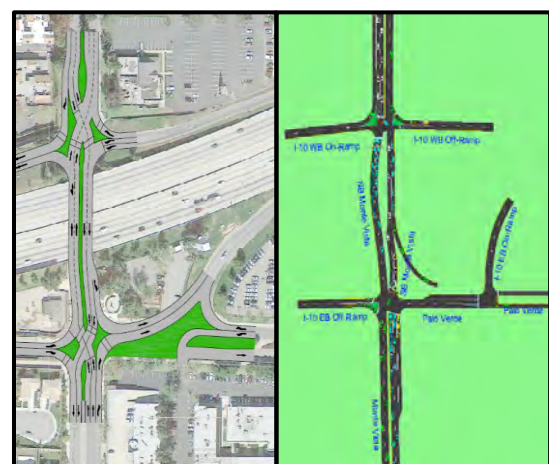
AGA team members have conducted and reviewed hundreds of studies for transportation planning projects. Such studies involved all aspects of transportation engineering from both residential and commercial development/redevelopment, City General and Specific Plans, intersection/corridor studies, parking studies and active transportation plans. Assessment of the scope and timing of transportation infrastructure improvements to adequately serve this increased traffic demand is an ongoing issue. One of the key areas of our expertise involves combining transportation planning with traffic operations. Short-term traffic operational analyses can be combined with long-term (10 to 20 years) transportation planning data to evaluate and monitor the impact of urban growth in a dynamic way. Such analyses are critical for conducting feasibility studies, traffic impact studies/analyses, and for determining long-term transportation infrastructure needs.

An example of a Specific Plan review is the North Montclair Street Improvement Master Plan. Working under our On-Call Traffic Engineering contract, we have been assisting the City with the review and redevelopment of the Montclair Plaza – which involves improvements for Moreno Street – to a better active transportation corridor. The review of the proposed Moreno Street improvements included safety assessments, operational assessments, feasibility of improvements, overall traffic circulation (pedestrian, bicyclists and vehicles) with adjacent residential and commercial properties, and traffic impacts from re-routed traffic to other corridors.

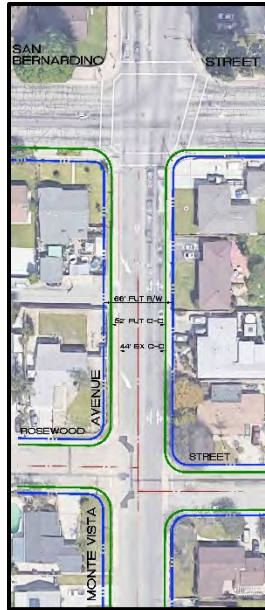


City of Montclair - Moreno Street Streetscape Plan Review

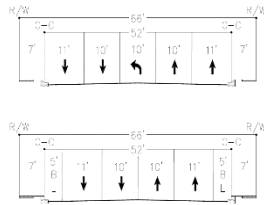
Given the potential for growth in both residential and commercial development and redevelopment in the City, assessment of the scope and timing of transportation infrastructure improvements to adequately serve this increased traffic demand is an ongoing issue. Short term traffic operational analysis can thus be combined with long term (10 to 20 years) transportation planning data to evaluate and monitor the impact of urban growth in a dynamic way. Such analyses are critical for conducting various feasibility studies and traffic impact studies/analyses, and for developing traffic and transportation impact sections of EIRs and EISs. AGA staff assisted City staff in evaluating potential configurations for the Monte Vista Ave/I-10 Freeway interchange.



Monte Vista Diverging Diamond Interchange
Concept Plan and Micro-Simulation



Cross Sections



*Monte Vista Avenue:
Four-Lane Facility*

One such configuration was that of a diverging diamond interchange (see above figure). AGA staff developed conceptual plans and micro-simulation models on the interchange configuration and how the interchange would operate.

AGA staff also assisted the City in studying Monte Vista Avenue as a four-lane facility, south of San Bernardino Street and what would be the required right-of-way.

AGA has also conducted many operational analyses for proposed intersection/corridor improvements that include Level-of-Service (LOS) analysis, feasibility and cost-effectiveness of the improvement(s), and traffic simulation presentations for City Planning Commission and City Council meetings.

Traffic Studies

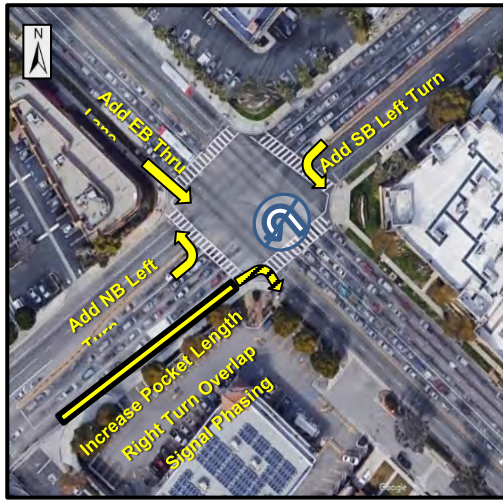
AGA team members have conducted hundreds of studies for the installation of traffic control devices. Such studies include traffic signal warrants, traffic signal priority lists, school crossing guard studies, pedestrian crossings, multi-stop application studies, and left-turn studies. Many times, these studies are the result of resident concerns/complaints. In addition to conducting these studies, AGA can reach out to residents to explain the situation and discuss a reasonable solution. Some examples of the various types of studies we have completed for our clients include:

- Traffic safety studies such as sight distance evaluations, collision analyses, etc.
- Traffic impact studies
- Traffic signal warrant studies
- Pedestrian and bicycle facilities studies
- Drive-through queuing studies
- Truck studies
- Level of Service (LOS) and vehicle miles traveled (VMT) analyses

Given the potential for growth in both residential and commercial development/redevelopment in the City, assessment of the scope and timing of transportation infrastructure improvements to adequately serve this increased traffic demand is an ongoing issue. One of the key areas of our expertise involves combining transportation planning with traffic operations. Short-term traffic operational analyses can be combined with long-term (10 to 20 years) transportation planning data to evaluate and monitor the impact of urban growth in a dynamic way. Such analyses are critical for conducting feasibility studies, traffic impact studies/analyses, and for determining long-term transportation infrastructure needs.

One way to address potential growth in a successfully proactive manner was developed and implemented by the AGA team in the City of Fullerton. Based on General Plan build-out conditions, the team determined ultimate transportation infrastructure needs. In effect, a Citywide Traffic Impact Analysis was developed, including calculation of overall costs to construct the required improvements. As development projects

were proposed, AGA conducted individual Traffic Impact Analyses to more definitively determine the appropriate scheduling for implementation of such improvements. This traffic modeling and monitoring service is of tremendous long-term benefit.



*Crenshaw Blvd at Pacific Coast Hwy, Torrance
Proposed Improvements*

For another example, the AGA Team conducted the Citywide Traffic Analysis for the City of Torrance which evaluated existing and future traffic conditions (level-of-service analyses), existing traffic signal infrastructure, and provided a citywide safety review aimed at improving traffic signal efficiency and resiliency, enhancing roadway safety, and mitigating both existing and future traffic congestion within the city. The report included both near-term and long-term intersection improvements (with conceptual plans), an extensive infrastructure plan covering traffic equipment improvements, and a traffic signal communications plan with fiber optic upgrades.

Staff of AGA have conducted numerous similar modeling projects and gained experience in all phases of transportation planning. We are well versed with developing and utilizing travel demand forecasting models to determine future transportation infrastructure needs for cities. We also prepare Traffic Impact Analysis Reports in compliance with regional planning agency requirements. Specific relevant experience includes updating the General Plan for the City of Colton, developing the City of Montclair’s Transportation Study and Developer Fee Program, and our Soledad Canyon Road Feasibility Study for the City of Santa Clarita in which we determined the ultimate lane requirements for future traffic conditions.

AGA also offers local and regional area transportation planning capabilities to develop specific circulation plans, including Master Plans of Streets and Highways, general circulation plans, and coordination of these plans with those developed by metropolitan planning organizations. The map on the following page further demonstrates AGA’s coordination timing experience in Orange County.

Intersection Control Studies

It is anticipated that AGA will be expected to perform multi-way stop warrant analyses and traffic signal warrant analysis based on the methodology and procedures established in the 2014 or latest version of California Manual of Uniform Traffic Control Devices. AGA will gather the appropriate 24-hour traffic volumes, collision data, and geometric data to perform the technical evaluations outlined in the manual. However, at AGA we understand that the technical evaluations may not tell the whole story in a city because of unique business travel patterns, residential quality of life concerns, and congested roads. We go beyond the technical manual evaluations to consider other factors such as pedestrian and bicycle traffic, lighting levels, traffic delays, approach speeds, violation rates, driver behavior, transit stops, driver behavior, roadway geometrics, land use, and neighboring intersection controls.

Generally, we start every investigation by not only speaking with City staff about past investigations, constituent complaint history, and their impressions but we also typically speak with the requestor directly to seek additional information about why they feel traffic controls at the intersection should change. During the course of the investigation, should unique environmental or operational characteristics effecting safety be revealed we might gather additional data to document those unique

characteristics for inclusion in the study effort. We have found the use of video surveillance to be extremely powerful in evaluating traffic patterns and motorist behavior both during peak periods and off-peak when some believe that “no one is watching”. Many times when we are studying complex intersections or complaints of after-hours problems, the use of video have brought a better understanding of the issues and has led to more complete solutions. Ultimately the recommendations provided to the City will not only be based on the technical evaluations but engineering judgement considering those context sensitive and operational factors that might not be easily measured but can have a significant impact on operational efficiency and public safety.

Engineering and Traffic Surveys



The objective of Engineering and Traffic Surveys (E&TS) is to review the existing speed limits and recommend changes to the speed limits (increase or decrease), in accordance with the requirements of the latest edition Section 627 of the California Vehicle Code (CVC). The purpose of these studies is to provide sufficient information to document that the conditions of Section 627 have been satisfied and that other conditions not readily apparent to a motorist are properly identified. The recently adopted Assembly Bill No. 43 (AB43) amended and added sections to the CVC related to traffic safety and speed limits. AGA has completed studies for the Cities of Burbank, Gardena, Seal Beach, Westminster, and Garden Grove. We are currently conducting E&TS studies in the Cities of Laguna Niguel, Huntington Beach, Redondo Beach, and Santa Ana.

Safety Studies

Periodic review and analysis of citywide collision history is an important component of the efficient management of the City’s roadway network. AGA has performed such reviews on a regular basis for many of our municipal clients. Typically, our engineers look for patterns of collisions that can be corrected by changes in traffic controls, signage, or geometrics. We also rank intersections and roadways to determine the most collision prone in order to focus our attention to determining why such intersections or roadway segments are experiencing higher than anticipated collision rates. Summarized collision data doesn’t always tell the whole story, so for those problematic locations we typically request and review the CHP 555 reports of each reported collision to ascertain the details of each collision in an effort to determine if specific traffic control actions could reduce the likelihood of future collisions of that same type occurring. Ultimately, we summarize the data, our findings, and recommendations in a report for the City’s consideration.

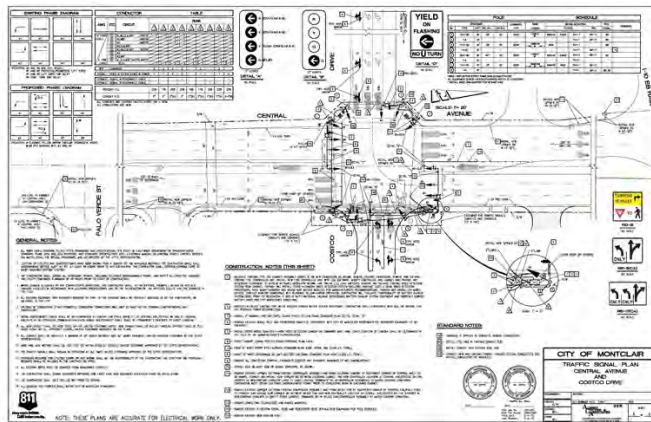
Traffic Engineering

AGA’s experience with designing traffic signals – and our drive to keep up with the latest requirements of the California Manual on Traffic Control Devices (CA MUTCD), ADA, and Caltrans Standards – allows us to provide a comprehensive design for successful completion of a project, thus ensuring that all requirements are being met when completing traffic related designs. Working with a multitude of agencies throughout Southern California has allowed our team to review and work with various standard drawings. Throughout the years we have seen several updates to standard drawings such as revised curb ramp design standards (8.33% vs. 7.5% slopes) and updates to traffic signal pole and foundation dimensions.

AGA has also been a leader in the utilization of AutoCAD for signal design. Typical design activities consist of determining all aspects of right-of-way constraints for street improvements including providing raised

median configurations, left and right turn pocket lengths, lane drops, speed-controlled transitions, etc. All signal and striping improvement and interconnect plans are prepared using AGA’s CAD package, consisting of AutoCAD and a library of Caltrans symbols, for traffic signal and roadway design. Using these tools, AGA personnel have designed hundreds of new and modified traffic signals and signal interconnect projects (including fiberoptic, twisted pair, and wireless technologies) for a large number of agencies throughout Southern California.

Traffic Signal, Signing, and Striping Design



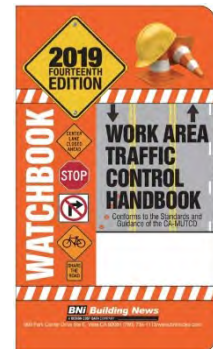
Central Ave/Costco Traffic Signal Plan

AGA staff have designed and implemented hundreds of both new and modified traffic signals, signing and striping plans, and traffic signal interconnect projects (including fiber optic, twisted pair, and wireless communication technologies) for a large number of cities and counties. While completing traffic signal modification designs and traffic signal communication designs, our staff not only looks at the specific improvements identified, but also conducts inventories of all the traffic signal components that may need to be modified or upgraded.

Our experience with designing traffic signals, and our drive to keep up with the latest requirements of both the CA MUTCD and Caltrans Standards, allows us to provide a comprehensive design for successful completion of a project. AGA staff is also up to date with current ADA requirements. Design activities consist of determining all aspects of right-of-way requirements for street improvements including providing raised median configurations, left and right turn pocket lengths, lane drops, speed-controlled transitions, etc.

Traffic Control Plans

AGA staff have extensive experience with developing and reviewing traffic control plans. Our Engineers don’t just review such plans from a technical perspective, but also consider the context in which the lane and street closures are to be implemented, as well as the traffic characteristics and patterns in the area . Routinely, such reviews also involve a site visit to ensure that the design considers all aspects of transportation including pedestrians, bicyclists, transit, motorists, traffic signals, land use, private property access, etc.



Review Standard Details

AGA strives to keep up to date with the latest state and federal standards to ensure all requirements are being met when completing traffic related designs. AGA’s extensive experience working with a multitude of agencies throughout Southern California has allowed our team to review and work with various standard drawings. Throughout the years we have seen several updates to standard drawings such as revised curb ramp design standards (8.33% vs. 7.5% slopes), updates to traffic signal pole and foundation dimensions, etc. This experience will be valuable in assisting the City with development of its own standard drawings.

When developing standard plans, it is important that all applicable state and federal standards, such as the California Manual on Uniform Traffic Control Devices (CA MUTCD) 2014 Revision 6, 2018 Caltrans Standard Plans and Revised Standard Plans, Americans with Disabilities Act (ADA) Standards, 2021 Standard Plans for Public Works Construction, to name a few, be considered to ensure the City is in compliance with all mandated requirements.

Design and Implementation of Signal Timing Related System Improvements

AGA has worked on a multitude of traffic signal design projects. During the past several years, AGA staff has completed designs for various Highway Safety Improvement Project (HSIP) and Regional Traffic Signal Synchronization Program (RTSSP) projects and other grant funded projects to upgrade outdated traffic signal equipment and implement various safety improvements identified by citywide safety assessments. While completing traffic signal modification designs, AGA staff not only looks at the specific improvements identified in the RFP, but also all the traffic signal components that may need to be modified or upgraded.

Video/Radar Detection Systems



AGA has designed a vast amount of traffic signal equipment improvement plans where new video detection systems have been successfully installed. Our experience and familiarity with different types of video detection systems such as the Iteris Vantage Vector Hybrid system (utilized for advanced dilemma zone detection), Vantage Next system, Vantage Edge II system, the Econolite Autoscope Vision system, and Gridsmart has given us the knowledge to successfully design for the installation of such systems.

Understanding these different detection systems and their components allows us to prepare a thorough design that will meet the project objectives. As an example, knowing what type of cable is required for the different types of detection systems is critical in determining if new conduit will be needed or if the cable can be installed in existing conduit. Some systems utilize a single CAT-5E Ethernet cable for both power and video, while others require both separate power and coaxial cables for the video requiring more space in the conduit. Fully understanding how these systems work and getting the design right is what saves time and costs during construction.

CCTV Cameras



Our designs for hundreds of CCTV camera installations have given us the experience and understanding of factors to consider when completing such designs. It is important to understand design elements such as location of the camera, distance between the camera from the communications switch (to identify whether an Ethernet extender or special long-range CAT-6 cable is required), and existing conduit fill to make sure CCTV cable can be installed. Staying current on new technology is also very important and it's something that we are constantly working on. Our experience with designing CCTV systems from multiple vendors such as Bosch, Cohu, and Axis will be key in providing the project agencies what they are looking for. The AGA team recently worked on integrating a Cloud-based video management system complete with Firewall security for the City of San Dimas.

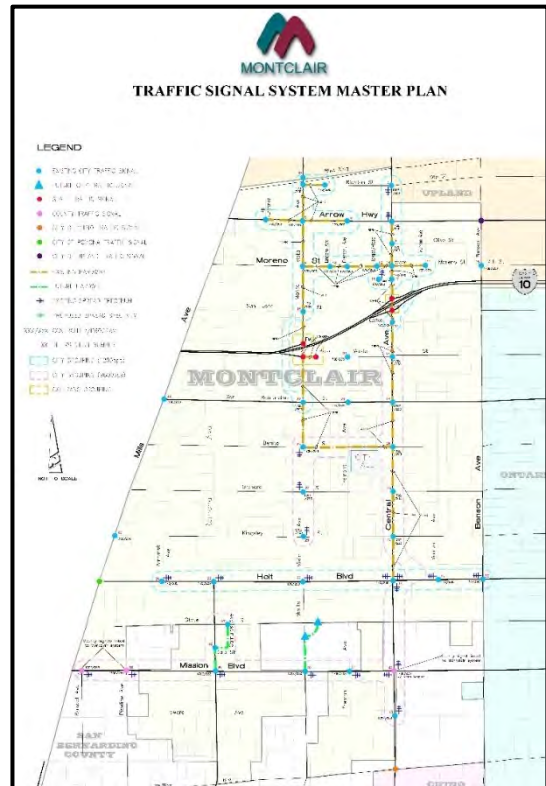
Traffic Signal Interconnect and Communication

AGA staff have worked on a multitude of traffic signal communication projects. The AGA Team has also designed several miles of fiber optic communications. Our designs include Intelligent Transportation

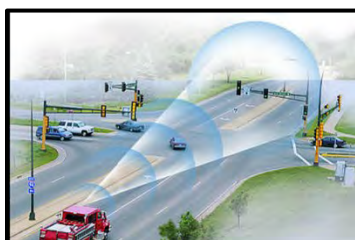
System (ITS) components such as CCTV cameras and Bluetooth travel time devices. Detailed fiber assignments are also included to ensure that agencies have accurate documentation of their fiber assets in order to facilitate integration of the communication and ITS devices into the respective traffic management centers.

The AGA team’s outstanding technical field staff, working in conjunction with our expert designers in communications upgrades, sets us apart from others. Our team has been key in upgrading a multitude of traffic signal communications systems throughout Orange County, including the Cities of La Habra, Fullerton, and Fountain Valley. As a matter of fact, the AGA team was the first to install fiber optic communications in the cities of La Habra and Fullerton. Additionally, the AGA team prepared the Fiber Optic Communications Master Plan for both the cities and developed the Traffic Signal Communications Network IP scheme which is currently being utilized.

The AGA Team developed a Traffic Signal Communications Master Plan for the City of Montclair. After a comprehensive review of the City’s existing communications and traffic signal system was completed, we discovered a multitude of communication assets which were leveraged to facilitate the creation of a fiber optic communications backbone system that will be the heart of the City’s traffic control system. The Master Plan developed a framework for completion of all necessary communications improvements in a multi-year phased approach.



Emergency Vehicle Preemption Systems



Our experience with designing EVP systems for a multitude of cities is a significant asset to the Team. It is important to note that there are different models of EVP systems. In recent years, agencies have been transitioning from the traditional infrared/optical EVP systems to GPS based EVP systems, as is the case with the City of Fountain Valley where the AGA team recently completed the design and integration of over fifty EVP systems.

Automated Traffic Signal Performance Measures (ATSPM)

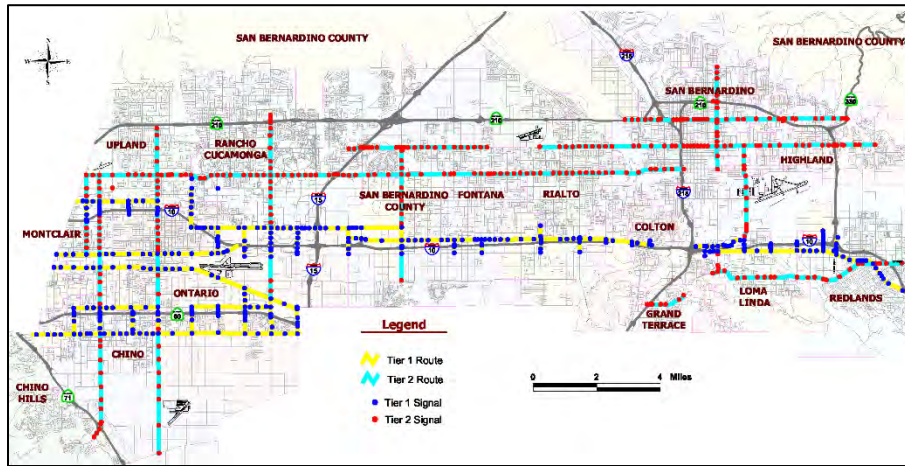
AGA staff are very familiar with working on the Automated Traffic Signal Performance Measures (ATSPM) applications for different systems. We have configured the Econolite Centracs, Iteris SPM, and Q-Free ATSPM applications. In order to obtain accurate ATSPM reporting, it is critical that users accurately configure the detection (lane-by-lane detection, detector channels, detector type and detector distances). The ATSPM reporting can provide guidance on where detection is not working properly, the health of the coordinated system, count data (existing and historical), side street delays and split timing monitoring. The main benefit is that the data is being continuously evaluated and monitored 24/7.

Signal Timing, Coordination, and Operation



SBCTA Coordinated Traffic Signal System

Recognizing the benefits of multijurisdictional traffic signal coordination, SBCTA (formerly known as San Bernardino Associated Governments, or SANBAG) adopted a strategic plan for interconnecting and coordinating more than 1,200 traffic signals in the San Bernardino Valley Area. The first two components of that plan – designated as Tier 1 and Tier 2 – involved the interconnect and coordination of 652 signalized intersections on approximately 150 miles of arterial highways under the jurisdiction of 16 agencies, including Montclair. The graphic below shows the corridors and traffic signals which were part of the project.

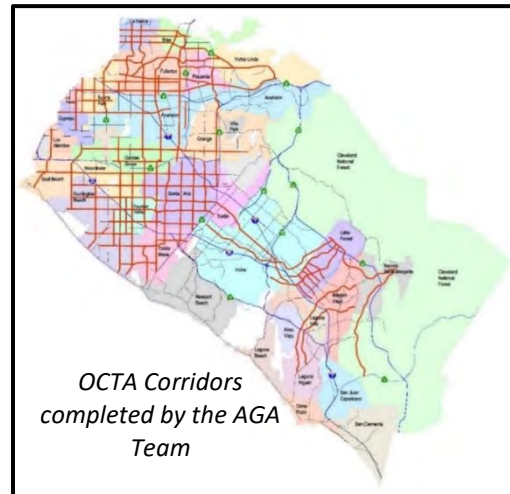


San Bernardino Valley Traffic Coordinated Traffic Signal System Map f or Tiers 1 & 2

OCTA Signal Synchronization Projects



The AGA Team has, for many years, been continuously under contract with OCTA and other county transportation agencies with completing various types of signal synchronization projects. In fact, our team was chosen to conduct the Euclid Street Traffic Signal Synchronization Demonstration Project (Euclid Street Project), which was funded and overseen by OCTA. This project served as a “test” for OCTA to assess the overall feasibility and effectiveness of similar future projects. Since the AGA Team was able to obtain significant improvements in all Measures of Effectiveness (MOEs) – due primarily to our project management, technical expertise and ability to achieve consensus among multiple cities and Caltrans – the Euclid Street Project became the standard by which subsequent projects were measured.



OCTA Corridors completed by the AGA Team

Signal Timing Optimization Programs

Traffic Engineers depend upon a complex set of software “tools” to produce high-quality signal timing products (i.e., Synchro, SimTraffic, Tru-Traffic, TranSync, etc.). AGA engineers not only use these tools, but

our experience informs us of what to do with the information they provide. Software programs are not capable of providing workable timing plans independently; however, an experienced Traffic Engineer will utilize these software programs in the process of developing such plans. Others may simply proceed with the computer timing outputs that these tools provide, but AGA’s experienced timing experts carefully review the program output and adjust the values manually utilizing time-space diagrams to properly match local conditions. Although we may use different signal timing software to capitalize on specific strengths of each software program, it should be noted that all final timings will be compiled in the Synchro software.

Traffic Signal Timing and System Support

Developing, implementing, and maintaining signal timing plans are all critical to optimizing the efficiency of the existing infrastructure, thus ensuring that coordination signal timing plans are operating as designed. Since traffic patterns change when construction, incidents, and/or development occurs, adjustments to timing plans are often required. Only by frequent monitoring of traffic operations can these signal timing plans be kept current.

In addition to AGA’s expert traffic engineering staff, the company also employs several experienced traffic signal technicians who are highly skilled and well versed on all types of traffic signal control hardware and systems, video equipment and control systems, communications, networking, and security systems.

Traffic Signal Communication Infrastructure



The primary focus of AGA’ approach is to leverage the existing investments made by various agencies in control systems, communication, and field equipment to create a communications backbone that will be the heart of the traffic control system. Our intent is that the systems, timing plans, and control strategies developed will become key to how each agency manages traffic for many years to come.

Our approach begins with recognizing the planning work that went into the improvements already completed. For example, combining valuable underground conduit already in place with the fiber to be installed for a new project. Another example is using previous improvements completed to reconfigure the communications network of a roadway corridor into a Self-Healing Communication Backbone Ring. In this example the AGA Team upgrades the communications backbone to a 10Gb network where possible which will easily accommodate existing and future CCTV traffic surveillance cameras and other ITS elements in the future without the need for additional investments in communication capacity.

Familiarity with Signal Hardware

AGA engineers and signal technicians are well-versed in a wide variety of signal hardware including controller units, conflict monitors, cabinet assemblies, signal wiring, traffic signal central systems, etc. Our team regularly assesses and advises on hardware-related issues with hands-on experience in several controller systems, including, 2070 with D4 (Fourth Dimension) firmware, 2070 with SWARCO Omni eX firmware, Q-Free with Maxtime, Econolite Cobalt, 2070 ATC, Trafficware, and Siemens M50/M60 controllers. Of particular note is our in-depth experience integrating various modern ITS infrastructure including fiber optics, wireless radio, Ethernet-over-copper, Ethernet switches, etc. With our knowledge of previous generation equipment utilizing Ethernet, serial and FSK communication, we can integrate state-of-the-art systems with existing hardware and software when needed.

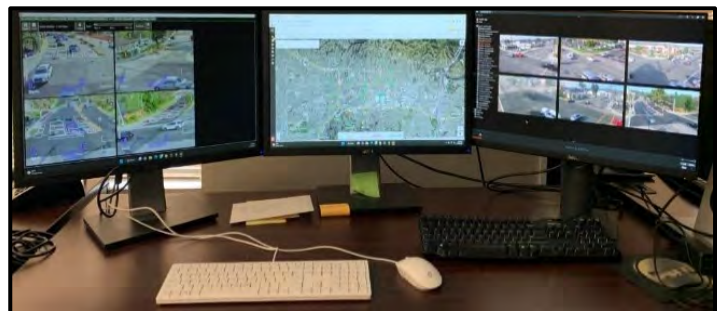
Our clients also receive practical assistance from our technical staff with the design and installation of video walls, display systems, live video feeds to TMCs via video detection cameras, the use of CCTV, wireless radios, and the development and design of Internet Protocol (IP) communication schemes for signal-related equipment and configuration of Layer 3 communication networks. Our staff is adept in configuring Virtual Local Area Networks (VLANs) for streamlining traffic signal communications and live video feed to TMCs.

Our Team has completed numerous regional corridor projects that have included the installation or upgrades to Siemen’s Tactics for the Cities of Buena Park and Fullerton, Econolite’s Centrac central signal control systems for the City of Placentia, County of Orange, and the City of Yorba Linda, and Q-Free Kinetic central signal control system for the City of La Habra. The AGA Team is currently assisting the City of Fountain Valley with the Q-Free Kinetic system. In addition, the recently completed project for Imperial Highway included integration at Caltrans’ TMC of signals into Caltrans’ TransSuite Central System.

Traffic Signal Monitoring

AGA staff have been providing on-call traffic engineering and transportation planning services to the City of Montclair since 1993. The services we provide include presentations at the Traffic Commission, Planning Commission and/or City Council meetings; development of a focused traffic forecast model (of the SCAG sub-regional model) to generate future peak hour turning movement volumes to determine level of service (LOS) and required mitigation measures; traffic signal warrant analyses and subsequent traffic signal designs; fiber optic communication design; traffic impact analyses; preparing grant applications; developing traffic signal timing; traffic signal system monitoring and as-needed support, representation at countywide inter-governmental meetings; contract administration and construction engineering support. The signal system monitoring includes checking online for traffic signal communications and intersection coordination status. Minor signal timing adjustments, primarily related to existing signal coordination splits or offset changes, are accomplished via remote login of the system or manually in the field. Periodic field drives of major corridors are conducted to review traffic signal coordination.

AGA operates traffic signal systems for various governmental agencies and does so remotely from our Fullerton office, which includes a Traffic Management Center (TMC). Existing systems include 35 signals on an Q-Free Kinetic System in La Habra, 40 signals on a SWARCO (McCain) Transparity system in Montclair, 78 signals using the Econolite Centrac system in Laguna Niguel, 50 signals on a Q-Free MaxView based Model 2033 system in the City of Fountain Valley and 38 signals on a SWARCO QuicNet system in the City of Highland.



AGA’s Q-Free Kinetic Workstation for La Habra

One signal timing monitoring service involved approximately 652 intersections spread throughout 17 agencies (15 cities, the County, and Caltrans) in the San Bernardino Valley under a multi-year contract with San Bernardino County Transportation Authority (SBCTA, formerly SANBAG). This unique “hands-on” signal experience allows AGA staff to possess a very realistic understanding of what it takes to adequately serve the public while maintaining political harmony. Our TMC staff also includes signal system specialists

with previous field maintenance experience with a local Signal Maintenance Contractor. Our unique staffing often allows us to correct problems before the public starts making complaint phone calls.

Traffic Operations and Management

Traffic Signal Synchronization Programs (TSSP) significantly enhance field communications, upgrade controllers, video detection and traffic signal timing along the corridor; however, without active oversight and management by the agencies that are operationally responsible, the true effectiveness of the systems will not be realized. Given the variety of central signal systems, controllers and the different communication systems, integration of these systems requires extensive knowledge and expertise. Our staff has in-depth knowledge with integrating and maintaining/supporting the various signal systems. Additionally, AGA's experience from previous projects has shown that special attention must be given to:



- Interface modems from wireless to hardwire, telephone drops, fiber optic, etc.. interconnect components
- Communication speed differences for different interconnect and controller types.
- Actuating coordination for differing local controller programs and software versions.
- System controller grouping limitations.
- Local software limitations.
- Using a variety of timing parameters and strategies to achieve shorter cycle lengths.

Our experience with integrating central system hardware (computer servers, workstations, Ethernet switches, modems, port servers, GPS servers) and field elements – including interfacing with traffic signal system vendors, communication systems specialists and respective agency Information Technology staff is key to project success.

Traffic Engineering Construction Support

The AGA Team has provided traffic engineering construction support to enable timely completion of all construction components for traffic engineering projects. On a recently completed project, we provided the following specific services relative to traffic engineering construction support:



- Assist City and Contractors with providing public construction notices to keep residents and businesses informed of project status and any impacts to motorists.
- Prepare for and conduct the pre-construction meeting with the City, the Contractor, and affected utility owners. Meeting minutes are prepared and distributed to all meeting attendees.
- Track and review all construction submittals, Requests for Information (RFIs), Request for Changes (RFCs), Contract Change Orders (CCOs), construction schedule, etc.
- Coordinate construction observations with agency staff.
- Review construction schedule and ensure contractor is adhering to schedule.



- Review and recommend approval of Contractor’s progress payment invoices.
- Conduct regular meetings to discuss project status, as necessary.
- Prior to completion of construction, prepare punch list and coordinate with Contractor to complete all outstanding items in a timely manner.

The AGA team also provides overall system integration efforts which includes coordination with the construction contractor responsible for installing new traffic signal controllers and cabinets, communication hardware (cables, switches, Ethernet radios, etc.), Emergency Vehicle Preemption, video detection systems, CCTV cameras, etc. AGA will work hand-in-hand with the contractor with configuring all Internet Protocol (IP) devices installed as part of the different projects.

Grant Funding Preparation and Administration

The AGA Team has extensive technical experience in assisting various agencies with the following grant funding related tasks:

Grant Funding Needs Analysis

AGA will work with City staff to review grant funding needs including CIP Projects identified by City departments, assess the validity of current funding priority areas, identify changes in funding priority areas, and identify new priority areas for grant related proposals based on funding viability. We will assist City staff in providing strategic outreach to relevant agency staff in determining how to competitively structure the City’s funding needs.

Grant Funding Research

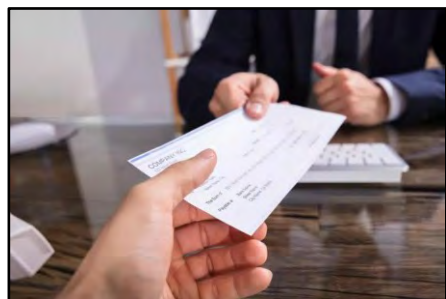
AGA will conduct research to actively assist in identifying grant resources including, but not limited to, federal/state, foundation, agencies and organizations that support the City’s funding needs and priorities for transportation projects. Over the years, the AGA team has successfully assisted multiple cities with RTSSP grants for traffic signal synchronization and system improvements, Highway Safety Improvement Program (HSIP) grants for safety improvements, ATP grants for encouraging physical activity such as biking and walking, and MTA grant funds.

Grant Funding Application

AGA will provide technical assistance to City staff with developing the grant funding applications. We will complete all necessary forms in response to all grant requirements and evaluate the cost implications to ensure an executable project that will score favorably based on the funding criteria requirements. AGA will provide the City with a submittal-ready application. The AGA Team previously assisted the following cities with applying for grant funds:

Buena Park - \$1.3 million HSIP grant	Downey - \$249,900 HSIP grant
Fountain Valley - \$1.9 million HSIP grant	Fullerton - \$11 million OCTA RTSSP grants
La Habra - \$13 million OCTA RTSSP grants	Placentia - \$1.2 million HSIP grant
Redlands - \$250,000 HSIP grant	Rialto - \$413,200 grant

Grant Funding Administration and Reimbursement



Upon receipt of a grant, the AGA team will assist a City with the implementation and day-to-day administration of the grant related project. We will comply with all grant administration requirements including periodic reporting of progress and expenses, semi-annual reviews, and any project related scope changes or unforeseen project extensions. At the close-out of the project, AGA will also provide the complete project expense documentation for total project expense reimbursement. The AGA Team assisted the Cities of Fullerton and La Habra with the complete project expense reimbursement for the OCTA RTSSP grants.

Quality Assurance/Quality Control

An effective quality assurance/quality control (QA/QC) review will minimize or eliminate additional costs to the City related to reengineering or contractor claims during construction and liability after project completion. Delivering a quality product that is right the first time is the primary focus of AGA’s comprehensive QA/QC process. It is an integral part of our regular engineering design and study processes and the delivery of every investigation, study, report, or document we produce. This added layer of independent work product review will be conducted at no additional cost to the City.

Our QA/QC program requires that all deliverables leaving our office be reviewed prior to submittal to the client. All personnel performing work on this project are responsible to ensure its implementation. We have the philosophy that QA/QC is a continuous process to be utilized on plan preparation from conceptual design to final PS&E, as well as when conducting various other professional engineering tasks. Our technical staff is trained to always review work products prior to finalization. Our experienced QC Manager will conduct an objective review of each work product. When several disciplines are involved in a project, the QC Manager may also seek review assistance when needed from other individuals specializing in those disciplines to verify that all project concepts are being met and all constructability issues are addressed prior to delivery of the project.

References

AGA is currently providing services similar to those listed in the RFP to the agencies listed below. Typical services include traffic signal warrant analyses, traffic impact analyses, engineering and traffic surveys, preparing grant applications, traffic signal designs, fiber optic communication design, traffic engineering construction support, presentations at various City meetings, Level of Service studies, etc.

- | | |
|--|--|
| <ul style="list-style-type: none"> • County of Los Angeles • Orange County Transportation Authority • Anaheim • Laguna Niguel • Costa Mesa • Fountain Valley • Glendora • Highland | <ul style="list-style-type: none"> • Lake Forest • Long Beach • Montclair • Orange • Redondo Beach • San Dimas • South Pasadena • Vernon |
|--|--|

- Huntington Beach
- La Habra
- Laguna Beach
- Victorville
- Whittier
- Yorba Linda



Traffic and Transportation Engineering Services

Mr. Michael Plotnik, Traffic Manager
City of La Habra
110 East La Habra Boulevard, La Habra, CA 90631
(562) 383-4162
mplotnik@lahabracalifornia.gov
Contract Dates: 1993- present

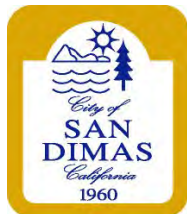
Participate as a member of the City’s Traffic Committee, monitor traffic signals remotely from AGA’s office, assist with reviewing proposed developments (traffic studies and site plans), conduct warrant analyses (traffic signal, stop sign and crossing guard), left-turn phasing studies, evaluate parking and school circulation plans, and respond to citizen’s concerns regarding a variety of traffic related items.



As-Needed Design Services

Mr. Temo Galvez, Deputy Director of Public Works/City Engineer
City of Fountain Valley
10200 Slater Avenue, Fountain Valley, CA 92708
(714) 593-4517
temo.galvez@fountainvalley.org
Contract Dates: 2001- present

Development, implementation and fine-tuning of weekday and weekend coordination traffic signal timing plans citywide, signal warrant analyses, speed surveys and developing recommendations for raising/lowering speed limits, designing new and modified signal installations, and interagency coordination with adjacent cities and Caltrans. Most recently, AGA completed a Citywide Emergency Vehicle Preemption Study, a federally funded Citywide SSARP project, and we are currently finalizing a HSIP grant-funded project for traffic signal modifications of eight city signals. The AGA Team also assists the City with monitoring of their traffic signal system.



On-Call Traffic Engineering Services

Ms. Shari Garwick, Director of Public Works
City of San Dimas
245 East Bonita Avenue, San Dimas, CA 91773
(909) 394-6248
sgarwick@sandimasca.gov
Contract dates: 2014-present

Task orders have included conducting traffic studies, speed surveys, multi-way stop studies, plan check reviews, project reviews, preparing traffic control reports, pedestrian route to school plans, and responding to citizen, business and City Council requests and suggestions, and traffic engineering construction services. Our team has also provided traffic signal design services, developed traffic signal timing plans, provided field support to troubleshoot traffic signal and communications issues, attend and participate in bi-monthly Traffic Safety Committee meetings, and provided grant assistance services.



**Schedule of Hourly Rates
May 2024**

President / Executive Vice President	\$ 280
Vice President	\$ 260
Director of Project Development	\$ 240
Principal Transportation Engineer / Principal Engineer	\$ 240
Senior Design Engineer / Senior Transportation Engineer II	\$ 220
Senior Transportation Engineer I	\$ 210
Senior Project Engineer & Project Manager	\$ 200
Senior Project Engineer / Senior Associate	\$ 195
Transportation Engineer III / Advanced System Integrator	\$ 195
Transportation Engineer II	\$ 185
Transportation Engineer I / Senior System Integrator	\$ 175
Senior Signal Systems Specialist / Construction Inspector	\$ 175
Design Engineer/Signal Systems Specialist III	\$ 165
Associate Transportation Engineer III / Systems Engineer II	\$ 165
Associate Transportation Engineer II / Signal System Specialist II	\$ 155
Signal System Specialist I / Project Coordinator	\$ 145
Associate Transportation Engineer I / Associate Engineer II / Systems Engineer I	\$ 145
Associate Engineer I / Signal Technician II	\$ 135
Assistant Engineer / Assistant Project Coordinator	\$ 130
Signal Technician I	\$ 120
Transportation Engineering Assistant	\$ 110
Engineering Aide III	\$ 100
Traffic Enumerator / Engineering Aide II	\$ 85
Engineering Aide I	\$ 75
Council/Commission Meetings, Hearings, etc. (Billing Rate + \$50 Surcharge)	\$ 1,000
Subconsultants will be billed at cost plus 20%	

Hourly Rates are All-Inclusive: The hourly rates noted above are all inclusive fees for services rendered. All direct and indirect costs (i.e., mileage, equipment, materials, reproduction and printing, etc.) are included in our fees.

Hourly Rate Adjustments: The above rates will be in effect for a minimum of one year. Each July, after the first year of an Agreement, the hourly rates shown above may be subject to adjustment based on labor and overhead costs. AGA will submit new hourly rates schedule to the City up to once annually each July for approval.



CITY COUNCIL AGENDA REPORT

DATE:	MAY 6, 2024	FILE I.D.:	CCK350
SECTION:	CONSENT - RESOLUTIONS	DEPT.:	ADMIN. SVCS.
ITEM NO.:	1	PREPARER:	A. MYRICK
SUBJECT:	CONSIDER ADOPTION OF RESOLUTION NO. 24-3437 ADOPTING A RECORDS AND INFORMATION MANAGEMENT PROGRAM POLICY AND RECORD RETENTION SCHEDULES TOGETHER AS THE CITY OF MONTCLAIR'S OFFICIAL RECORDS MANAGEMENT PROGRAM		

REASON FOR CONSIDERATION: The City has been working with Records Control Services, Inc. (RCS), a records management consultant, to update the City's records retention schedule to comply with all applicable legal retention periods and reflect the City's existing records more accurately, and to provide records management training and best practice recommendations to staff in each department.

RCS has worked with staff to develop a proposed Records and Information Management Program Policy and revised Record Retention Schedules.

The City Council is requested to consider adoption of Resolution No. 24-3437 adopting a Records and Information Management Program Policy and Records Retention Schedules together as the City of Montclair's official Records Management Program.

BACKGROUND: At its November 19, 2012 meeting, the City Council adopted Resolution No. 12-2973 adopting a Records Retention Schedule as the City of Montclair's Official Records Management Program. The Records Retention Schedule was adopted in order to ensure the City's compliance with various State and Federal statutes, which require records of public agencies to be maintained for specified periods of time. The retention of public records is in accordance with Government Code §7920.000, the California Public Records Act (CPRA) — an act designed to allow the inspection and/or disclosure of public agency and government records to the public upon request.

The CPRA defines a public record as "any writing containing information relating to the conduct of the public's business prepared, owned, used, or retained by any state or local agency regardless of physical form or characteristics." Although it provides an expansive definition of "writing," it does not specify the retention period for public records. Instead, Government Code §34090 provides general retention periods for various categories of documents classified as public records.

In December of 2018, the City Council adopted Resolution No. 18-3224 in order to update the Records Retention Schedule (RRS) to comply with changes to various State and Federal statutes. While the updated RRS included statutory changes and guidelines for retention of certain records, the City of Montclair Records Management Program does not include a policy to support the RRS and other records management activities.

On August 15, 2022, the City Council approved a contract with RCS to develop a Records Management Policy, and to revise and improve the RRS to include new or updated Federal and State statutory retention requirements and to accurately represent all types of records maintained in the City's departments. The project timeline was split into three phases, and progress has been made as follows:

- **Phase 1: Discovery, Assessment, Gap Analysis, & Records Classification System**

- Review of the City's current policies and development of a project timeline.
- Kick-off meeting with key City staff (the project team).
- Separately held meetings with representatives from each department familiar with the department's records to review and inspect active and inactive files including paper, electronic, and microfilm.
- On-site reviews of currently available storage space and equipment.
- Determine adherence to current records retention schedule and records management policies.
- Assess the most appropriate maintenance, storage, and destruction methods and procedures for each department and record type. *
- Prepare a report summarizing the result of the review of the City's records and provide a presentation of findings and gap analysis to the project team. *

- **Phase 2: Records Information & Management Policies, Procedures, Retention Schedule**

- Develop a comprehensive proposal for a Records Management Program customized to the City's records and staff preferences to maximize use of available on-site storage space, including:
 - Updated Record Retention Schedules, and
 - Policies and procedures for records and information management based on best practices.
- Provide recommendations for physical and digital records storage and a centralized, all-inclusive system for quickly navigating and locating records.*

- **Phase 3 - Records Management Program Implementation Strategy & Training**

- Develop procedure guides for Records Management Program maintenance and preservation.
- Provide staff training.

**Note: Consultant is currently preparing a consolidated report containing the assessment, findings, and recommendations.*

The updated schedules have been reviewed and approved by each of the Department Heads, the City Attorney, and the City Clerk. The Records and Information Management Program Policy has been reviewed and approved by the City Attorney and the City Clerk.

Resolution No. 24-3437 would rescind and supersede Resolution No. 18-3224, the previous resolution that updated the Records Retention Schedules, originally adopted via Resolution No. 12-2973, as the City of Montclair's official Records Management Program.

FISCAL IMPACT: The City Council's adoption of Resolution No. 24-3437 would have no direct fiscal impact on the City's general fund.

RECOMMENDATION: Staff recommends the City Council adopt Resolution No. 24-3437 adopting a Records and Information Management Program Policy and Record Retention Schedules together as the City of Montclair's official Records Management Program.

RESOLUTION NO. 24-3437

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MONTCLAIR RESCINDING AND SUPERSEDING RESOLUTION NOS. 12-2973 AND 18-3224, AND TOGETHER ADOPTING A RECORDS AND INFORMATION MANAGEMENT PROGRAM POLICY AND REVISED RECORD RETENTION SCHEDULES AS THE CITY OF MONTCLAIR'S OFFICIAL RECORDS MANAGEMENT PROGRAM

WHEREAS, it is necessary for the efficient operation of the City to follow a procedure for the retention of City documents and other records, as well as follow a schedule for the destruction of obsolete records; and

WHEREAS, the adoption of a Records Retention Schedule facilitates the orderly and efficient transfer, retention, and disposition of records in a responsible and timely manner; and

WHEREAS, the State of California and the Federal Government have specified time periods in which public records are required to be retained; and

WHEREAS, California Government Code (GC) Section 34090 *et. seq.* sets forth certain legal requirements relating to the retention of certain municipal records and provides a procedure whereby City records that have served their purpose and are no longer required may be destroyed; and

WHEREAS, on November 11, 2012, the Montclair City Council adopted Resolution No. 12-2973 adopting a Records Retention Schedule as the City of Montclair's Official Records Management Program in order to facilitate the orderly and efficient transfer, retention, and disposition of records of the City of Montclair in a responsible and timely manner; and

WHEREAS, on December 17, 2018, the Montclair City Council adopted Resolution No. 18-3224 amending the Records Retention Schedule; and

WHEREAS, City staff finds that the current retention schedule does not accurately reflect all of the City's records nor does it contain references to relevant government codes that govern the retention of specific records;

WHEREAS, the City hired Records Control Services, Inc., a firm specializing in government records management, which recommended inclusion of a policy as part of the Records Management Program and updates to the Retention Schedules and;

WHEREAS, the City Attorney and City Clerk have reviewed and approved the proposed Records and Information Management Program Policy and revised Record Retention Schedules making up the City of Montclair's proposed official Records Management Program; and

WHEREAS, in accordance with provisions of GC Section 34090 *et. seq.*, the City Council hereby acknowledges that the City Attorney's signature on this Resolution constitutes written consent under GC Section 34090 *et. seq.* for the destruction of obsolete and unnecessary records and documents in accordance with the City of Montclair's Record Management Program.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Montclair does declare the following:

SECTION I. Resolution Nos. 12-2973 and 18-3224 are hereby rescinded and superseded by this Resolution.

SECTION II. Exhibit "A", the Records and Information Management Program Policy (the "Policy"), and Exhibit "B", the Record Retention Schedules (the "Retention Schedules"), of this Resolution are hereby adopted together as the City of Montclair's official Records Management Program (the "Program").

SECTION III. Amendments to the Program. Amendments or updates to the Program, consisting of the Policy and Retention Schedules, shall be approved only by City Council resolution.

SECTION IV. Ongoing Authority for Necessary Amendments to the Program. The City Clerk or their designee shall have authority to amend the Policy and Retention

Schedules from time to time in accordance with changes to State and Federal law that affect procedural requirements and retention periods of City records.

SECTION V. Ongoing Authority for Destruction of Records. In accordance with the Policy, the City Clerk or their designee is hereby authorized and shall have ongoing authority, without further approval by the City Council and with the consent of the City Attorney, for destruction of City records based on the Retention Schedules.

SECTION VI. This Resolution shall become effective immediately upon adoption.

APPROVED AND ADOPTED this XX day of XX, 2024.

Mayor

City Attorney

ATTEST:

City Clerk

I, Andrea M. Myrick, City Clerk of the City of Montclair, DO HEREBY CERTIFY that Resolution No. 24-3437 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, 2024, and that it was adopted by the following vote, to-wit:

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

Andrea M. Myrick
City Clerk

**CITY OF MONTCLAIR
RECORDS AND INFORMATION MANAGEMENT PROGRAM POLICY**

1. PURPOSE

This Records and Information Management Program Policy (“Policy”) establishes comprehensive and uniform methods for the cost effective and efficient management of the City’s public records (including creation, utilization, maintenance, security, retention, storage, preservation, and destruction), in accordance with legal requirements and professional standards.

2. SCOPE

This Policy is established by the City in accordance with all relevant federal, state, and local laws, and contractual requirements. In particular, this Policy is established in accordance with the State Record Retention laws (Government Code §34090, *et seq.*) as well as the California Public Records Act (Government Code §7920, *et seq.*). Additionally, where relevant to the needs of the City’s management of records, the City has incorporated provisions from professional standards and guidelines. All physical hardcopy or electronic documents, sound, or video works created by employees while executing the City’s business are records under this policy regardless of whether they are managed in a formal process by the employee’s department or kept by an employee or their work unit for reference or any other purpose.

3. AUTHORITIES

The legal authorities and professional guidelines applicable to the management of City records include, but are not limited to, the following:

- 3.1. Federal and State Law.** Numerous Federal and State laws related to minimum record retention requirements and statutes of limitations apply to different types of records. Each record series listed in the Record Retention Schedule cites applicable laws.
- 3.2. Government Code §34090 *et seq.*** The principal provisions of California law applicable to City Record Retention requirements are addressed in Government Code §34090, *et seq.*, which generally require original public records to be retained for a minimum of two years and sets forth other requirements for the retention and destruction of specific public records. This Policy establishes the procedures consistent with the provisions within the state law for the destruction of original public records which have been retained for at least the minimum retention period and are no longer required by the City for business or historical purposes. The Policy also addresses the destruction of records which have been replaced by “Trusted Copies” (GC §34090.5) and the destruction of “Duplicate Copies” (GC §34090.7). Per subsections of the code, the state law provisions do not authorize the destruction of:
- a. Records affecting title to real property or liens thereon
 - b. Court records
 - c. Records required to be kept by statute
 - d. Records less than two years old
 - e. The minutes, ordinances, or resolutions of the legislative body or of a city board, agency or commission
- 3.3. Government Code §6200 *et seq.*** Except as otherwise provided by Government Code §34090 *et seq.*, Government Code §6200 *et seq.* provides that any City employee who is found guilty of willfully destroying (including altering, falsifying, mutilating, defacing, or stealing, in whole or in part) a public record may be punished by imprisonment for up to four years.
- 3.4. Government Code §7920 - §7931 *et seq.*** The California Public Records Act (Government Code §7920 - §7931 *et seq.*) provides definitions for “writings” and “public records” for the purpose of determining which public documents are required to be disclosed to the public upon request, and which public documents are confidential or otherwise exempt from disclosure.
- 3.5. Professional Standards and Suggested Retention Guidelines.** Selected professional associations and other governmental agencies, such as the California Secretary of State, the Department of Justice, and the City Clerk’s Association of California, have published standards, model retention guidelines, and/or articles recommending retention periods for different types of records. Although these standards and guidelines are not binding upon the City, the City will take these documents into

**CITY OF MONTCLAIR
RECORDS AND INFORMATION MANAGEMENT PROGRAM POLICY**

consideration in establishing the City's Record Retention Schedules and, where applicable, the City will identify deviations from these suggested guidelines within the Record Retention Schedules.

- 3.6. 2 CCR §22620 et seq.** The State of California provides requirements and guidelines for Trustworthy Electronic Document or Record Preservation. This includes requirements for electronic document format, system backups, file compression, security, and policies and procedures for retaining official documents or records created or acquired using a trusted system.
- 3.7. Government Code 12168.7.** In addition to the State's Trustworthy Electronic Document or Record Preservation requirements, the State sets standards for "trusted systems" to acquire electronic documents when the City collaborates with State agencies. These standards define what a trusted system is and how records must be preserved using trusted systems, including cloud computing services for records storage.

4. DEFINITIONS

- 4.1 Active Records:** Records referenced and readily accessible in the general conduct of current City business.
- 4.2 Annual Destruction:** Time period each year when the City Clerk's Office coordinates with Records Coordinators to destroy records pursuant to the requirements of the Program and the Record Retention Schedules. Beyond this time, Records may also be destroyed by Records Coordinators according to the Record Retention Schedules and this Policy at any point after the Records are designated as obsolete, as long as the records are not maintained more than 1 year beyond the date the record is eligible for destruction.
- 4.3 Citation(s):** "Citations" listed in the Record Retention Schedules are the legal bases for a minimum retention period, as required by federal, state, regional and/or local governmental agencies.
- 4.4 Confidential Record:** There are many sources of legal authority that define a "Confidential Record" including, but not limited to, the *California Public Records Act*, Government Code §7920 - §7931 *et. seq.* Therefore, it would be impractical to list all definitions of a "Confidential Record" within this Policy. If there is any question as to whether a record is a Confidential Record, staff should consult with the City Clerk and/or the City's legal counsel prior to disclosure.

In general, a "Confidential Record" is any record not disclosed to the public unless directed by court order. Examples of a "Confidential Record" may include, but are not limited to, the following:

- a. Personnel records:
Examples include any personnel, medical or similar files, the disclosure of which would cause an unwarranted invasion of personal privacy.
- b. Pending litigation or claims:
In general, Government Code §7927.200 provides that when litigation or a claim is filed against the City, the records pertaining to the litigation or claim are exempt from public disclosure until the litigation or claim has been adjudicated or settled.
- c. Attorney/client privilege and attorney work product:
It should be presumed that all communications from the City Attorney's office or other special legal counsel on behalf of the City are subject to attorney/client privilege, and the communications should be protected accordingly.
- d. Police records and investigative reports:
Examples include, but are not limited to, a wide variety of records such as:
 - Police investigations, intelligence, analysis, and conclusions
 - Information that may endanger the safety of any person
 - Juvenile records
 - Active case files

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- e. Feasibility studies for property acquisition or public contracts:
Unless required to be disclosed by eminent domain law, feasibility studies relative to the acquisition of property, or to prospective public supply and construction contracts, are not disclosed until all the property has been acquired or until the contract or agreement has been executed.
- f. Proprietary information obtained by the City:
Proprietary information will not be disclosed if any of the following apply:
- The outside party providing the information submits the information with the expressed intention to maintain the confidence.
 - The information has not previously been disclosed to others.
 - The outside party has a reasonable expectation that the information will be maintained in confidence based upon how the City obtained the information.

Examples include, but are not limited to, financial information or computer source code submitted as a condition of a license, permit or certificate.

Public Interest Balancing Test

If a writing does not fit a specific category of exemption, the writing *may* still be exempt if it meets the Public Interest Balancing Test. According to GC §7922.000, “The agency shall justify withholding any record by demonstrating that the record in question is exempt under express provisions of [the Public Records Act] or that on the facts of the particular case the public interest served by not disclosing the record clearly outweighs the public interest served by disclosure of the record.” Since there is a significant body of case law analyzing this balancing test, City staff must consult with the City’s legal counsel when determining whether a record may be disclosed upon request.

- 4.5 Databases:** “Databases” consist of electronic files, tables, and fields of data, which manage and store information useful to the department or division. “Databases” are modified over time through the addition, deletion, or modification of data. “Databases” may be maintained by the City or hosted by outside sources. The specific policy regarding databases can be found in Section 6.1.7.
- 4.6 Duplicate Copy:** A record that is a copy of an Official Record if the copy is not within the definition of a “Trusted Copy”. In addition to hard copies of Official Records, “Duplicate Copies” also include, but are not limited to, database backups or other copies of electronic records.
- 4.7 Electronic Mail (E-mail):** Messages and communications transmitted over internal and external networks are considered “Electronic Mail”. The City considers “Electronic Mail” a transitory record, and the City’s policy on “Electronic Mail” is addressed in Section 6.1.6.
- 4.8 Electronic Records:** Records that contain information readable by machine or computer, and which may include information such as text, numbers, graphs, line drawings, pictures, images, video or sound are considered “Electronic Records”. Examples of “Electronic Records” include, but are not limited to, the following:
- | | |
|---|--|
| <ul style="list-style-type: none"> • Audio or video recordings • Electronic mail • Databases • Digital images | <ul style="list-style-type: none"> • Presentation graphics • Word processing files • Spreadsheet files • Voicemail |
|---|--|
- “Electronic Records” reside on, but are not limited to, media such as magnetic disks or tapes, audio or video cassettes, optical disks, DVDs, CDs, hard drives, or memory sticks.
- 4.9 Historical Records:** Records valuable to future researchers that document accomplishments, changes, and growth of the City.
- 4.10 Inactive Records:** Records that are no longer referenced, nor required to be readily accessible, in the general conduct of current City business. Such records may be stored at an off-site storage location or within the work area during their required retention period.
- 4.11 Indexes and Metadata:** Information supporting a record that is unique and distinguishes one record from another. “Indexes” and “Metadata” may include, but are not limited to, record titles, record series

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codes, sequential identification numbers, dates, Office of Record, project number, account number, or other source information describing the record's contents. Such information, in and of itself, does not constitute a record.

- 4.12 Litigation Hold:** A temporary hold on destruction of any documents potentially relevant to reasonably anticipated, pending, or threatened litigation.
- 4.13 Media:** The physical format in which a record is maintained including, but not limited to, paper, photographic, micrographic, computer storage, and any other recording or storage method.
- 4.14 Non-record Writing:** Any writing which is not within the definition of a Record. Examples of "Non-record Writings" include writings that are not directly related to the conduct of the City's business and/or are used specifically for reference including, but not limited to, textbooks, brochures, catalogs, or seminar announcements.
- 4.15 Official Record:** An "Official Record" is the original record or "Trusted Copy" having the legally recognized and enforceable quality of any writing containing information related to the conduct of the City's business.
- 4.16 Office of Record (OOR):** The department within the City that is responsible for maintaining a particular record series in accordance with this Policy and the Record Retention Schedules is considered the "Office of Record". The Record Retention Schedules identify the "OOR" for each record series. Typically, the "OOR" is the department that originates the record. Exceptions may be noted on the Record Retention Schedules.
- 4.17 Permanent Records:** Records that are required to be kept in perpetuity, usually identified by statute or other written guidance. Examples include, but are not limited to, original minutes, ordinances, resolutions, and land grant deeds.
- 4.18 Record:** For retention purposes, a Record includes any writing containing information relating to the conduct of the business prepared, owned, used, or retained by the organization regardless of physical form or characteristics. Records include the subsets of trusted copies, confidential records, vital records, historical records, active records, inactive records, electronic records and transitory records, as defined within this Policy.
- 4.19 Record Inventory:** An inventory of a department's records where the following information is recorded:
- The type of record (record series)
 - The date range of the records
 - The volume of the records
 - The format of the record (paper, microfilm or electronic)
- An inventory helps build and maintain the Record Retention Schedules.
- 4.20 Record Retention Schedules:** "Record Retention Schedules" list all record series which are prepared, owned, used, or retained by the City, and identify the required retention period for each record series. The "Record Retention Schedules," and any amendments or updates thereto, are approved by City Council resolution.
- 4.21 Record Series:** A set of records which are created, stored and maintained together. "Record Series" are used as a method to organize records by function and/or document type within the City. Examples of different "Record Series" include, but are not limited to, the following:
- Contracts
 - Purchase Orders
 - Resolutions
 - Minutes of official meetings
 - Timecards
 - Financial Statements
- 4.22 Records Center:** A designated area for the storage of inactive records, which is well-organized to allow for efficient retrieval of records as needed from the department. Departments shall maintain

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custody and control over their records and ensure prompt and efficient handling and destruction of records pursuant to the Record Retention Schedules.

4.23 Records Coordinators: Designated staff within each department or division that are intimately familiar with records maintained in their department or division. The person is the main point of contact between the City Clerk's Office and staff regarding the City's Records Management Program and this Policy as it relates to records in their department or division.

4.24 Retention Period: A "Retention Period" is the length of time that a particular record is retained by the City before its disposal in accordance with this Policy. The "Retention Periods" for City records are identified on the Record Retention Schedules.

4.25 Transitory Records: A writing with only transitory (short-lived) value since the information is used for a relatively short period of time. Examples include, but are not limited to, the following documents that are not retained in the ordinary course of business:

- Preliminary drafts
- Notes
- Interagency/intra-agency memoranda
- Voicemail
- Handheld recorders

4.26 Trusted Copy: A "Trusted Copy" is a copy of an originally created record if the copy is created on a Trusted System. "Trusted Copies" are photographically or electronically generated documents controlled by daily operational procedures and policies to ensure reasonable expectations of document integrity, free from physical or electronic additions, subtractions, or other modifications that would change the content of the original document.

Once a "Trusted Copy" is created, it will replace the original source document, and the "Trusted Copy" must then be retained as the Official Record in accordance with the requirements of this Policy and the Record Retention Schedules.

4.27 Trusted System: As defined by GC §12168.7(c), "Trusted System" means a combination of techniques, policies, and procedures for which there is no plausible scenario in which a document retrieved from or reproduced by the system could differ substantially from the document that is originally stored."

Thus, a "Trusted System" includes any method of creation, management and/or storage of an Official Record, as defined within this Policy.

4.28 Vital Record: Includes records that are needed to continue or resume basic City operations in the event of a disaster.

4.29 Writing: As defined by Government Code §7920.545, "Writing" means any handwriting, typewriting, printing, photo stating, photographing, photocopying, transmitting by electronic mail or facsimile, and every other means of recording upon any tangible thing any form of communication or representation, including letters, words, pictures, sounds, or symbols, or combinations thereof, and any record thereby created, regardless of the manner in which the record has been stored."

Thus, "Writing" is a comprehensive definition that includes the subsets of public records, trusted copies, confidential records, duplicate copies, non-record writings, vital records, historical records, active records, inactive records, electronic records, and transitory records, as defined within this Policy.

5. RESPONSIBILITIES

Active management of the City's records is required to ensure that the records are properly maintained. This section identifies elected officials and staff members responsible for managing the City's records.

5.1 City Council

The City Council reviews and approves official policies governing the maintenance of the City's official records including this Policy, the original Record Retention Schedules, and any amendments thereto.

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5.2 City Manager

The City Manager (or their designee) shall be responsible for administering this Policy and approving minor amendments and administrative changes to the Record Retention Schedules.

5.3 City Attorney

The City Attorney (or their designee) shall be responsible for the following:

- a. Providing legal review and approval to any proposed amendments to this Policy or the Record Retention Schedules.
- b. Providing legal review of changes in the law relating to this Policy and the Record Retention Schedules.
- c. Notifying the affected OOR and the City Clerk when the City must suspend the destruction of records due to pending or potential litigation, discovery requests, or for any other reason.
- d. Reviewing all requests for records destruction and exercising discretion to approve or deny requests for destruction in accordance with this Policy.
- e. Forwarding all approved requests for destruction to the City Clerk.

5.4 City Clerk

The City Clerk (or their designee) shall be responsible for the following:

- a. Implementing and coordinating the City's Records and Information Management (RIM) program.
- b. Providing review and approval to any proposed amendments to this Policy or the Record Retention Schedules.
- c. Disseminating information and providing RIM program training to departments.
- d. Establishing and maintaining a program to assist departments in the destruction of records once their respective retention periods have expired.
- e. Assisting all departments in complying with this Policy.
- f. Providing written notification to the City Manager and relevant Department Directors of violations of the Record Retention Schedules and this Policy.
- g. Performing periodic training and audits to assist departments in complying with the Record Retention Schedules and this Policy.
- h. Providing written notification to the City Manager and Department Directors of audit discrepancies within their respective departments.
- i. Providing review of changes in records management practices relating to this Policy and the Record Retention Schedules.
- j. Receiving City Attorney approved requests for records destruction for final review and processing.
- k. Maintaining the Official Record of all documents related to the City's RIM program, and any amendments or updates thereto, including the following:
 - Policy
 - Record Retention Schedules
 - Lists of Records Coordinators and alternates
 - Master Index of Record Series, as submitted by each department
 - Requests for Destruction of Records
 - Authorizations to Destroy Records
 - Certifications of Destroyed Records

5.5 Department Directors

Department Directors are responsible for the following:

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- a. Administering the City's RIM program in their respective departments and overseeing that Policy parameters are implemented in a timely manner.
- b. Appointing a Records Coordinator and an alternate to work with the City Clerk's Office to implement this Policy. Large departments with several divisions may have multiple Records Coordinators and alternates.
- c. Establishing and maintaining an inventory of departmental records and providing an updated electronic copy to the City Clerk upon request. The inventory shall identify the following aspects of each record:
 - Associated records series
 - Activity status (e.g., active, inactive)
 - Media format of the Official Record
 - Storage method and/or location
 - Importance (e.g., vital, historical, confidential), where applicable
- d. Coordinating with the City Clerk's Office in the development and amendment of their department's Record Retention Schedule.
- e. Periodically reviewing the department's Record Retention Schedule to ensure that the schedule is complete, current, and accurate.
- f. Providing the City Clerk's Office written proposed amendments to the Record Retention Schedule, when needed.
- g. Ensuring the security of records that have been identified as confidential.
- h. Notifying the City Clerk's Office of any information received regarding legal issues related to the retention of records within their department.
- i. Reviewing proposed changes to the Record Retention Schedule, as prepared by the offices of the City Clerk and City Attorney.
- j. Reviewing requests for the destruction of departmental records as authorized by this Policy and the Record Retention Schedules and forwarding such requests to the City Attorney.
- k. Approve the destruction of Duplicate Copies, Transitory Records, and Non-Records in accordance with this Policy.
- l. Providing written notification to the City Manager and the City Clerk's Office of any discrepancies or violations of this Policy or the Record Retention Schedule within their department.

5.6 Records Coordinators

The Records Coordinator(s) for each department, under the direction of the Department Director, are responsible for:

- a. Creating an index of department records series, and working with the City Clerk (or their designee) to develop and update the Record Retention Schedule for their department's records.
- b. Informing and updating employees in the department about this Policy and the department's Record Retention Schedule.
- c. Ensuring that active records within the department are maintained according to methods described in this Policy and the department's Record Retention Schedule.
- d. Maintaining the security of records that have been identified as confidential.
- e. Maintaining a master inventory of all department records kept internally and at off-site storage facilities.
- f. Monitoring all records that are sent off-site for storage to ensure the records are properly packaged and labeled, accurately and completely inventoried, and assigned proposed disposition dates.
- g. Coordinating all requests to retrieve documents from off-site storage and ensuring that documents are returned to off-site storage in a timely manner.

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- h. Annually reviewing records and preparing a list of records eligible for destruction when the retention period has expired, as described in this Policy and the Record Retention Schedule.
- i. Securing the Department Director's approval for destruction of records when the retention periods have expired.
- j. Ensure the destruction of Duplicate Copies, Transitory Records, and Non-Records in accordance with this Policy.
- k. Providing written notification to their Department Director of any discrepancies or violations of this Policy or the Record Retention Schedule within their department.

5.7 City Staff

Any City staff member who routinely works with the City's records, as required by their assignment, is responsible for:

- a. Reviewing this Policy and their department's Record Retention Schedule.
- b. Maintaining the security of records that have been identified as confidential.
- c. Retaining Duplicate Copies, Transitory Records and Non-records only if they are of direct importance to the current operation of their department.
- d. Surrendering all City records to their department's Records Coordinators, their supervisors, the City Clerk, City Manager, or City Attorney, when requested.
- e. Providing written notification to their department's Records Coordinator(s) and Department Director of any non-compliance with this Policy or the Record Retention Schedule.

6. POLICY

The Policy for the management, storage and preservation, and destruction of records is as follows:

6.1 Management of Records

6.1.1 Access Controls

All documents, writings, or other forms of information prepared, owned, used, produced, acquired, or retained by employees in the course of their duties, regardless of physical form or characteristics, are the exclusive property of the City. Employees shall have no expectation of privacy relating to City records.

When it is necessary for employees to work on physical documents away from the City, those documents must be returned to the City, and all copies from the outside location must be deleted or destroyed within 72 hours of final use or reference. Employees shall not have any physical City records in such places as private homes.

When it is necessary for employees to work on electronic documents away from the City, those documents must be accessed via the City's virtual private network system, and no copies shall be stored on private computer equipment or other electronic media.

Records managed by outgoing officials, employees, contractors, or volunteers shall be delivered to their Department Directors, supervisors, or successors prior to separation from the City.

6.1.2 Migration of an Original Record to a Trusted Copy

To ensure the accuracy of a Trusted Copy, employees of the OOR must follow the department's approved process before replacing an original record. The process must be approved by the City Clerk.

Before designating a record as a Trusted Copy, legibility must be validated, and indexes or metadata confirmed as accurately reflecting the content of the original record.

Once the Trusted Copy has been validated and designated as the Official Record, the original record shall be immediately destroyed in the approved manner, unless maintenance and retention of the physical records is recommended, such as governing body Minutes, Resolutions, Ordinances and recorded documents.

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6.1.3 Vital Records

Vital Records are those records needed to continue business operations in the event of a disaster and will be identified as such on the Record Retention Schedules. Each department will be responsible for defining a Business Continuity Plan that includes the protection and maintenance of vital records. Examples of protection include, but are not limited to:

- Storing hard copies in a fire-resistant filing cabinet or area, or in a locked vault, either on site or off site.
- Storing duplicate hard copies at a secure offsite facility for the duration of the retention life of the vital record.
- Creating regular back-ups for electronic vital records.
- Printing vital records on acid-free, archival quality paper.
- Maintaining:
 - A list of physical locations of vital records storage facilities and systems.
 - Access codes, passwords and/or keys for facilities and systems.
 - Equipment used to store vital records or needed to access electronically stored vital records.
 - An inventory of vital records within the facility.
 - Procedures for accessing the vital records.

6.1.4 Historical Records

Historical Records are records that are valuable to future researchers to document the accomplishments, changes, and growth of the City. Record Series that may contain historical records will be identified within the Record Retention Schedules. Historical Records may be maintained within each department based on individual departmental procedures or forwarded to the City Clerk's office for archival storage.

In the normal course of business, the historical value of a record may not be apparent. Routine business practices may cause certain records to be destroyed before or after historical value is determined.

6.1.5 Confidential Records

There are many sources of legal authority to exempt a record from disclosure including, but not limited to, the California Public Records Act, Government Code §7920 - §7931 *et seq.* It would be impractical to list all definitions of "confidential" records in this Policy. If there is any question as to whether a particular record should be designated as "confidential," the Department Director shall consult the City's legal counsel.

Confidential records must be maintained with sufficient security, and in accordance with applicable laws, to protect their contents from unauthorized access. Departmental procedures to ensure the security of confidential records will be the responsibility of the Department Director.

6.1.6 E-mail Communications, Text Messages on City-owned Phone, Instant Messages on Software Applications, City Social Media Accounts, and Electronic Retention

All electronic data, including messages, text messages, and files sent, received, and/or stored utilizing the City of Montclair's email software systems, applications downloaded on City devices, or City-owned cell phones are considered City of Montclair property.

Emails and text messages that constitute public records, even when sent or received by City employees on personal email accounts or using personal electronic devices, are covered by this Policy, with the exception of messages stored on private electronic devices and private accounts that are inaccessible to the City.

All email received must be reviewed and archived, if appropriate, by the recipient. E-mail systems are not intended to be, and will not be, used for the electronic storage or maintenance of official records, or as document management systems. E-mail communications are retained as follows:

- E-mails will automatically be removed and deleted permanently from the user's Inbox after 180 days.

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- E-mail communications relocated to the e-mail folder system will be automatically removed and deleted permanently from the corresponding folder after 2 years.

Each recipient shall determine whether the email should be preserved as a record, or whether it constitutes a "preliminary draft, notes, or memorandum that is not retained by the City in the ordinary course of business."

This section articulates the City's policy as to all electronic data contained in email inboxes and outboxes, electronic calendars, and tasks to the extent they are preliminary notes, drafts, and memoranda that are not retained by the City in the ordinary course of business. The City has an interest in administering its records and managing the size of its data storage as well as identifying which records are public and which are exempt.

The courts have observed that preliminary materials that are not customarily discarded or that have not in fact been discarded pursuant to policy or custom must be disclosed. Therefore, if there are emails or other data contained in the recipient's electronic mail account that are responsive to a records request, that data must be disclosed in compliance with the law, and the email or other data may not be destroyed merely to avoid disclosure.

When staff decides to archive or otherwise preserve an email or other electronic data, such data shall not be retained in the employee's email system folders for purposes of archiving.

When archiving is desired, the email or electronic data must be preserved by printing out and preserving in a paper file or pursuant to a departmental program for filing and storing City records. Alternatively, the email or electronic data may be saved in a permanent electronic folder.

Some employees are assigned City-owned cell phones, which have a texting capability. There is no expectation of privacy on information generated or stored on City-owned phones and such phones shall be primarily used to conduct City business.

The City will subscribe to and register all City-owned cell phones to a software provider service that will capture and archive all text messages sent and received on City-owned cell phones. These text messages will be archived for two years.

Any City-owned social media sites will be registered to software that will archive data related to the site. This data will be archived for two years.

6.1.7 Databases

For Record Retention purposes, the City considers all databases, whether residing on City systems or hosted by an outside source, to be Transitory Records. The blanket retention period for databases is "Until Superseded" to reflect that only the current version has informational and business value to the City.

The OOR that uses, maintains, and modifies a database must assure the information contained within the database is correct and accurate, and has the obligation to produce information from the database, as needed, to perform City business. Due to the transitory nature of databases, periodic reports produced from a database, and used for administrative, fiscal, legal or historical purposes, may become Official Records. Reports designated as Official Records must be maintained in accordance with the Record Retention Schedules.

For example, the City's Annual Budget Report captures the financial position at the end of a fiscal year, and is used to inform the City Council, staff, and the public of the City's financial state. Thus, the report must be retained for the retention period designated in the Record Retention Schedule to reflect operational needs.

6.2 Storage and Preservation of Records

6.2.1 Active Records

Storage and preservation methods for active Official Records must be approved by the City Clerk and meet all the following minimum specifications:

- Records must be stored and maintained using complete inventories and accurate indexes which allow them to be identified, retrieved, and disposed of in an expeditious manner.

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- b. Records must be maintained so they are readily accessible to conduct current City business.
- c. Storage systems for Official Records will accommodate hard-copy or electronic records and must also conform to the requirements of a Trusted System. Migration of original paper records to electronic form requires a process that complies with Section 6.1.2 of this policy.
- d. Filing systems should follow these guidelines:
 - d.1 Physical file folder labels should have a consistent style, not a mixture of different styles. This makes reading labels on physical files easier and increases access rates. File labeling should be consistent for the entire group of records.
 - d.2 A single filing system for primary and secondary indexing levels should be chosen and remain consistent. For example, after establishing primary file sections, select an alphabetical, alpha-numeric, or subject classification to control the sub-group files.
 - d.3 Record series should be kept together so that permanent records are separate from records with shorter retention requirements. When preparing files for a new calendar or fiscal year, set up files by retention period and add files to the department inventory list including destruction dates.
 - d.4 Confidential files should be labeled with obvious notations to alert staff members to the special handling requirements.
 - d.5 Inactive records should be transferred to the department's record center or storage provider to ensure the maximum capacity is available for housing active records.

6.2.2 Inactive Records

Inactive records may be stored in a secured City facility or stored by a commercial service provider. An Off-site storage facility must:

- a. Meet applicable state and local codes.
- b. Provide protection from fire and intrusion.
- c. Provide reasonable access to records in a timely manner.

Each department shall maintain an inventory of its inactive records in storage and forward an electronic copy of said inventory to the City Clerk's Office. Prior to sending records to storage, Duplicate Copies, Transitory Records, and Non-Records must be removed and destroyed in accordance with this Policy.

6.2.3 Cloud or Hosted Electronic Records

Cloud stored or hosted electronic records must follow the City's record retention schedules. The cloud or hosting company must:

- a. Meet applicable state and local codes.
- b. Provide protection from fire and intrusion.
- c. Provide reasonable access to records in a timely manner.

6.3 Destruction of Records

6.3.1 Destruction of Physical or Electronic Records

The City Clerk's Office oversees and administers the Program, Record Retention Schedules, and the annual destruction of records. This applies to all records, regardless of format.

Annual destruction of records occurs on a day, or days, of each year as determined by the City Clerk, and departments may request authority to destroy records at that time or any time during the year. Departments must complete destruction processes at least once each calendar year to stay in compliance with the Program and Record Retention Schedules.

Departments must identify all records eligible for destruction pursuant to the Record Retention Schedules and submit a Records Destruction Request Form to the City Clerk's Office by or before December 31st of the year prior to the record's obsolescence. The form shall list all documents to be

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shredded, deleted, or otherwise destroyed and the corresponding retention periods pursuant to the Record Retention Schedules. The Department Director (or their designee) must approve and sign the Records Destruction Request Form and submit it to the City Clerk's Office.

The City Clerk's Office is responsible for reviewing and approving or denying all requests and checking with the City Attorney's Office for any litigation holds, by February 1st of the year in which obsolete records may be destroyed.

6.3.2 Destruction of Original Records After Migration to a Trusted Copy

Once an original record has been migrated to a Trusted Copy, in accordance with the procedures for creating a Trusted Copy, the original record shall be immediately destroyed in the approved manner unless maintenance and retention of the physical records is required by statute, such as governing body Minutes, Resolutions, and Ordinances.

6.3.3 Destruction of Duplicate Copies

No Duplicate Copy will be maintained longer than the retention period of the Official Record. A duplicate copy may be destroyed at any time within the retention period without further authorization.

Department Directors will ensure that employees follow the established procedures within Section 7 of this Policy. Prior to the destruction of a Duplicate Copy, the employee shall ensure that:

- a. The writing is, in fact, a Duplicate Copy and not an Official Record.
- b. The writing is no longer required for the operational needs of the department.

Duplicate Copies of certain records may be requested by, and provided to, outside entities via the *California Public Records Act*, legal discovery or other valid and approved methods of dispersion. The City recognizes that it neither has control over, nor can it enforce the storage, management, and disposal of Duplicate Records released to outside entities.

6.3.4 Destruction of Transitory Records

A Transitory Record may be destroyed at any time. Prior to the destruction of a Transitory Record, the employee shall ensure that:

- a. The writing is, in fact, a Transitory Record and not an Official Record.
- b. The writing is no longer required for the operational needs of the department.

6.3.5 Destruction of Non-Records:

A Non-Record may be destroyed at any time. Prior to the destruction of a Non-Record, the employee shall ensure that:

- a. The writing is, in fact, a Non-Record. They may consult the City Clerk or City Attorney to verify.
- b. The writing is no longer required for the operational or reference needs of the department.

6.3.6 Destruction of Information on Obsolete Electronic Equipment

Certain electronic equipment used by the City, including Trusted Systems, may contain methods of electronic storage of City information. This information may be captured and stored as the equipment is used in the normal course of business. Such equipment may include copiers, multipurpose machines, and any other purchased or leased equipment that stores information related to City business.

The City understands that, as electronic equipment and technology change, information processing systems and new storage methodologies may allow for the capture of confidential and non-confidential City information.

Prior to decommissioning the equipment, the responsible department shall ensure that all information relating to City business will be deleted or otherwise made illegible from any data storage systems on or within the equipment. Under no circumstances shall any electronic equipment be released from City property for recycling, destruction, or other disposition until the City information has been deleted. Written confirmation of the destruction of the information shall be provided to the City Clerk.

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6.3.7 Destruction of Non-paper Media Records

Official Records stored on non-paper media must be destroyed in a manner consistent with this Policy. Documentation for the destruction of these records shall be prepared and retained in accordance with Section 7 of this Policy.

After all Official Records stored on non-paper media (e.g., magnetic tape, disks, diskettes, or other magnetic medium) have been destroyed, the medium itself may be reused, recycled, or destroyed.

7. PROCEDURES

The Procedures for the management, storage, preservation, and destruction of records are as follows:

7.1 Access to Electronic Records Systems

A Department Director (or their designee) shall approve access to electronic records systems for any employees, contract employees, consultants, or volunteers, as needed to fulfill the requirements of their employment.

Any electronic records system is subject to audit on a periodic basis. An audit may include operations performed on the database, the date and time an operation occurred and by whom, the database record number, the database index and/or metadata associated with the record, or any other pertinent data where practical.

7.2 Process for Scanning and Imaging of City Records and Documents

Laserfiche is the City's document management system and Trustworthy Electronic Document Management Repository for archiving electronic Trusted Copies and for electronic copies of documents for which there is no legal authorization for destruction (e.g., records affecting title to real property or liens thereon; and minutes, ordinances, or resolutions of the legislative body or of a city board, agency, or commission).

Laserfiche is also used by departments as an operational tool for access and storage of documents related to current City business.

Procedures for scanning a hard-copy document for storage in Laserfiche as an Official Record shall be established and reviewed periodically by each department, based upon their specific needs. Priority shall be given to those records that must be retained on a permanent basis, and to those records which need to be frequently retrieved. Examples of records eligible for scanning include, but are not limited to, the following:

- Minutes, Ordinances, and Resolutions
- Plans and Permits
- Contracts and Agreements
- Approved Construction Plans
- Approved Budgets

Departments shall review and purge unnecessary documents from their records prior to scanning. Purging involves evaluating documents within a record, and discarding documents determined to be Transitory Records, Duplicate Copies, or Non-Records.

After the electronic images are created, the department shall verify the images are legible and complete. Images will be verified, indexed, and the OCR process completed as soon as possible after scanning occurs. Following are requirements that must be performed or taken into consideration when scanning:

- Scan in PDF format.
- Scan using an image quality of no less than 300 DPI (Dots Per Inch).
- Pages containing color text, images, or markings should be scanned in color.
- Perform a thorough quality control review of the scanned document by comparing the scan to the original document, checking the images for issues including but not limited to skewed pages, skipped pages, cut-off pages, folded pages, notes covering information, double-sided documents scanned as single-sided documents, etc.

**CITY OF MONTCLAIR
RECORDS AND INFORMATION MANAGEMENT PROGRAM POLICY**

When creating an electronic Trusted Copy, the City Clerk (or their designee) must determine that the original record has been successfully transferred into electronic format as defined above. The original record will then be destroyed in accordance with this Policy.

Native electronic documents must be imported into Laserfiche, indexed, and the OCR process completed, thereby meeting all the same requirements as described above for scanned images.

These procedures will be evaluated by the City Clerk and updated periodically and approved by the City Council as needed.

7.3 Destruction of Official Records

Official Records, for which the retention period identified on the Record Retention Schedules has elapsed, will be destroyed in accordance with this Policy. Unless placed on legal hold by the City Attorney, records designated for destruction must be destroyed within the calendar year after the record expires.

A record that expires during the current calendar year must be destroyed by December 31st of the following calendar year. For example:

<u>If expiration occurs on:</u>	<u>Then destroy no earlier than:</u>	<u>or no later than:</u>
January 1, 2024	January 1, 2025	December 31, 2025
December 31, 2024	January 1, 2025	December 31, 2025

Periodic reviews of records should be performed by Records Coordinators. Additionally, to ensure compliance with this Policy and the Record Retention Schedules, the City Clerk will annually designate a date for departments to review their records and prepare requests for destruction.

Records for which the retention period has elapsed must be identified and included on a Destruction Approval Form, which is signed by the Department Director and forwarded to the City Clerk. The City Clerk will review the form for completeness and then forward the form to the City Attorney (or their designee) for approval along with a complete inventory listing of the records to be destroyed.

Upon approval, the City Attorney shall return the form and inventory listing to the City Clerk for final review and processing.

Hard-copy records approved for destruction must be destroyed by the City Clerk (or their designee) using one of the following methods:

- **Recycle Bin:** Expired documents that are not confidential.
- **Shredding:** All other records approved for destruction.

NOTE: Confidential documents must be shredded by the City Clerk's designee responsible for the destruction of those records. Commercial shredding services may be used for the destruction of paper documents at the City's request, as well as by the City's offsite storage provider upon request.

Destruction of Official Records in electronic format must follow the same approval process as the destruction of hard-copy records, as outlined above. Upon approval, electronic records must be destroyed by the City Clerk (or their designee) using methods that permanently delete the records.

The destruction process must include all Duplicate Copies of the Official Record, regardless of which department maintains the duplicates, or where and in what format they are maintained. The Information Technology Department should be consulted and provide assistance to ensure the deletion of an electronic record is permanent and that no copies remain stored in the cloud or on a backup server.

Following the destruction of records, the City Clerk (or their designee) shall certify that the records have been destroyed. All certificates of destruction shall be maintained by the City Clerk.

01-00-00 CITYWIDE ADMINISTRATIVE FUNCTION (ALL DEPARTMENTS)

Legend: AA - After Audit, AC - After Completion/Closure, ACT - While Active, AE - After Expiration, AFP - After Final Payment, AP - After Approval, AR - Annual Review, AS - After Separation, AT - After Termination, C - Confidential, CM - Current Month, CY - Current Year, EL - Electronic Media, EY - Event Year, H - Historical, IND - Indefinite, LOB/LOV/LOL/OSLOR - Life of Board, Building, Vehicle, Improvement, System or Registrant, MX - Mixed Media (PA and EL), P - Permanent, PA - Paper Media, S - After Superseded, V - Vital, +[Number] - Plus Years (Y), Months (M), Weeks (W) or Days (D) (default = years unless noted otherwise)

Series Code	Series Name	Description of Documents, As Needed	Office of Record	Special Attributes	Total Retention	Citations & Legal Basis ©
01-01-00	Administrative Materials					
01-01-01	General Information & Administration	Includes general subject information, reports and reference documents relating to the record group, but not associated with a specific record series already in the group.	City-wide		AR	Administrative Record. Review annually for relevance to current subject matter or projects. Inclusion in an associated record series, or creation of a new record series.
01-01-02	Correspondence & Reports - External	Not related to a specific project or program.	City-wide		CY+2, AR	GC 34090: 2 year minimum requirement. Administrative Record, State of California Guidelines.
01-01-03	Correspondence & Reports - Internal	Not related to a specific project or program.	City-wide		CY+2, AR	GC 34090: 2 year minimum requirement. Administrative Record, State of California Guidelines.
01-01-04	Policies & Procedures		City-wide		S+5	CCP 343: 4 years to commence action. Administrative Record, State of California Guidelines recommends retaining for 5 years after superseded.
01-01-05	Staff & Interdepartmental Meetings		City-wide		EY+2	GC 34090: 2 year minimum requirement. Administrative Record, State of California Guidelines.
01-01-06	Surveys & Studies - General City		City-wide		AC+2	GC 34090: 2 year minimum requirement. State of California Guidelines: 2 years after completion for general studies and surveys.
01-01-07	Budget Workpapers - Departments	Includes workpapers, forecasts and other budget creation related documents maintained by the departments.	City-wide		ACT	Transitory Record. Maintain as long as necessary for current business activities. Administrative Record, State of California Guidelines.
01-02-00	Reference Materials					
01-02-01	General Information & Administration	Includes general subject information, reports and reference documents relating to the record group, but not associated with a specific record series already in the group.	City-wide		AR	Administrative Record. Review annually for relevance to current subject matter or projects. Inclusion in an associated record series, or creation of a new record series.
01-02-02	Professional Associations/Organizations		City-wide		CY+2	GC 34090d: 2 year minimum requirement. Administrative Record, State of California Guidelines.
01-02-02	Community Organizations/Foundations		City-wide		CY+2	GC 34090d: 2 year minimum requirement. Administrative Record, State of California Guidelines.
01-02-03	Complaint Files	General complaints to City departments. Does not include claims against the City.	City-wide		AC+7	42 USC 1983; Settlement of complaint plus 7 years.
01-02-03	Community Information/Events	May include flyers, photos, activities.	City-wide	H	CY+2, AR	GC 34090: 2 year minimum requirement. Administrative Record, State of California Guidelines. Review annually for historical content.
01-02-04	Historical Information/Events	May include flyers, photos, activities.	City-wide	H	P	Administrative Record, State of California Guidelines. Administrative Decision. Retain permanently for historical value.
01-02-04	Technical Reference		City-wide		ACT	GC 34090.7: Duplicates and reference materials may be destroyed within the 2 year minimum.
01-02-05	Dues/Subscriptions		City-wide		CY+2	GC 34090: 2 year minimum requirement. Administrative Record, State of California Guidelines.

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Series Code	Series Name	Description of Documents, As Needed	Office of Record	Special Attributes	Total Retention	Citations & Legal Basis ©
01-03-00	Materials from Agencies & Other Cities - Non-project Related					
01-03-01	General Information & Administration	Includes general subject information, reports and reference documents relating to the record group, but not associated with a specific record series already in the group.	City-wide		AR	Administrative Record. Review annually for relevance to current subject matter or projects. Inclusion in an associated record series, or creation of a new record series.
01-03-02	Federal Agencies	Correspondence & reports not attached to contracts, agreements or specific projects. Review annually for content.	City-wide		CY+2, AR	GC 34090: 2 year minimum requirement. State of California Guidelines; Administrative Record.
01-03-03	State Agencies	Correspondence & reports not attached to contracts, agreements or specific projects. Review annually for content.	City-wide		CY+2, AR	GC 34090: 2 year minimum requirement. State of California Guidelines; Administrative Record.
01-03-04	Regional/National Agencies	Correspondence & reports not attached to contracts, agreements or specific projects. Review annually for content.	City-wide		CY+2, AR	GC 34090: 2 year minimum requirement. State of California Guidelines; Administrative Record.
01-03-05	County Agencies	Correspondence & reports not attached to contracts, agreements or specific projects. Review annually for content.	City-wide		CY+2, AR	GC 34090: 2 year minimum requirement. State of California Guidelines; Administrative Record.
01-03-06	Adjacent Cities	Correspondence & reports not attached to contracts, agreements or specific projects. Review annually for content.	City-wide		CY+2, AR	GC 34090: 2 year minimum requirement. State of California Guidelines; Administrative Record.
01-03-07	Special Districts	Correspondence & reports not attached to contracts, agreements or specific projects. Review annually for content.	City-wide		CY+2, AR	GC 34090: 2 year minimum requirement. State of California Guidelines; Administrative Record.
01-04-00	Grant Administration					
01-04-01	General Information & Administration	Includes general subject information, reports and reference documents relating to the record group, but not associated with a specific record series already in the group.	City-wide		AR	Administrative Record. Review annually for relevance to current subject matter or projects. Inclusion in an associated record series, or creation of a new record series.
01-04-02	Grant Applications & Agreements	Includes agreements, grant applications and supporting documents for the grant. Grant administrators must maintain copies of all invoices associated with the grant along with the supporting documents. For federal, state, county and school district grants.	City-wide		AFP+5*	29 CFR 97.36(f)(11); 3 years after final payment. 29 CFR 97.42(b); 3 years after final payment. 2 CFR 200.334; 3 years after final expenditure report for federal grants. 24 CFR 570.502(a)(7)(i)(a); Deeds/CDBG activities, 4 years after closure of loan. State of California Guidelines: 5 years after grant closure. * State recommends referring to grant application close-out procedures, if any.
01-04-03	CDBG Grant Applications & Agreements	Includes agreements, grant applications and supporting documents for the grant. Grant administrators must maintain copies of all invoices associated with the grant along with the supporting documents.	City-wide		AFP+4*	29 CFR 97.36(f)(11); 3 years after final payment. 29 CFR 97.42(b); 3 years after final payment. 2 CFR 200.334; 3 years after final expenditure report for federal grants. 24 CFR 570.502(a)(7)(i)(a); Deeds/CDBG activities, 4 years after closure of loan. State of California Guidelines: 5 years after grant closure. * State recommends referring to grant application close-out procedures, if any.

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Series Code	Series Name	Description of Documents, As Needed	Office of Record	Special Attributes	Total Retention	Citations & Legal Basis ©
01-05-00	Purchasing & Material Acquisition					
01-05-01	General Information & Administration	Includes general subject information, reports and reference documents relating to the record group, but not associated with a specific record series already in the group.	City-wide		AR	Administrative Record: Review annually for relevance to current subject matter or projects, inclusion in an associated record series, or creation of a new record series.
01-05-02	RFPs / RFIs / RFQs	Includes competitive bid quotes.	City-wide		AC+5	GC 34090: 2 years minimum. CCP 337: Statute of limitations. State of California Guidelines: 5 years after audit for successful bids. Administrative Decision: 5 years after completion of project associated with the bid.
01-05-03	Bids - Successful		City-wide		AC+5	GC 34090: 2 years minimum. CCP 337: Statute of limitations. State of California Guidelines: 5 years after audit for successful bids. Administrative Decision: 5 years after completion of project associated with the bid.
01-05-04	Bids - Unsuccessful		City-wide		CY+2	GC 34090: 2 years minimum. State of California Guidelines: Current year plus 2 for unsuccessful bids.

02-00-00 CITY CLERK

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Series Code	Series Name	Description of Documents, As Needed	Office of Record	Special Attributes	Total Retention	Citations & Legal Basis ©
02-01-00	City Clerk Administration					
02-01-01	General Information & Administration	Includes general subject information, reports and reference documents relating to the record group, but not associated with a specific record series already in the group.	City-wide		AR	Administrative Record: Review annually for relevance to current subject matter or projects, inclusion in an associated record series, or creation of a new record series.
02-01-02	Public Records Requests Log	Ongoing log of public records requests and status of request. Requested by media on occasion. Public records requests are located under Legal & Property function for department reference.	City Clerk		AC+2	GC 34090: 2 year minimum requirement. State of California Guidelines; 2 years after completion.
02-01-03	Records Retention Schedules		City Clerk		P	GC 34090: 2 year minimum requirement. CCP 343; 4 year statute of limitations. State of California Guidelines; 4 years after superseded. Administrative Decision: Permanent for retention schedules for records destruction tracking purposes.
02-01-04	Records Destruction Certificates, Destruction Documentation and Department Destruction Logs	Signed certificates indicating final disposition of documents which have met or exceeded approved retention policy guidelines and have been destroyed.	City Clerk		P	GC 34090: 2 year minimum requirement. State of California Guidelines; Permanent.
02-01-05	City-wide Filing System	Includes the uniform functional filing index, policies and procedures, guide books and other records management activity records.	City Clerk		S+5	GC 34090: 2 year minimum requirement. CCP 343; 4 years to commence action. Administrative Record, State of California Guidelines recommends retaining for 5 years after superseded.
02-01-06	Department-maintained Filing Systems & Inventories	Index to all active and inactive records maintained by departments in onsite and offsite storage.	City-wide		S+2	GC 34090: 2 year minimum requirement. State of California Guidelines; 2 years after superseded.
02-02-00	City Council					
02-02-01	General Information & Administration	Includes general subject information, reports and reference documents relating to the record group, but not associated with a specific record series already in the group.	City-wide		AR	Administrative Record: Review annually for relevance to current subject matter or projects, inclusion in an associated record series, or creation of a new record series.
02-02-02	Council Meeting Notices	Affidavits of Posting, Mailing and/or Publication Declarations indicating agendas and other notices are completed in compliance with state law and department guidelines.	City Clerk		CY+4	GC 34090: 2 year minimum requirement. CCP 343; Statutes of limitations, 4 years.
02-02-03	Council Agenda Packets	Agendas, staff reports, supplemental communications and all other supporting documentation for City Council regular, adjourned, and special meetings.	City Clerk		P	GC 34090: 2 year minimum requirement. State of California Guidelines; Maintain for the Current Year plus 2 years. Administrative Decision: Maintain agenda packets permanently for significant historical and reference purposes.
02-02-04	Council Minutes	Includes City Council and other bodies it concurrently or formerly served as, including Redevelopment Agency, Successor Agency, Montclair Public Financing Authority, Montclair Housing Corporation, and Montclair Community Foundation Boards.	City Clerk	V, H	P	GC 34090e: Minutes of governing bodies; Permanent GC 36814; Maintain record of proceedings. GC 40801; Maintain record of proceedings. State of California Guidelines; Permanent.
02-02-05	Memos to Council	Occasional memos from departments providing information to Council.	City Clerk		CY+2	GC 34090: 2 year minimum requirement. Administrative Record, State of California Guidelines.

02-00-00 CITY CLERK

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Series Code	Series Name	Description of Documents, As Needed	Office of Record	Special Attributes	Total Retention	Citations & Legal Basis ©
02-02-06	Items Submitted at Meetings	Includes materials distributed to a majority of the Council within 72 hours of a meeting related to agenda items that were not included in the published agenda packet (SB 343 items). Also includes such items distributed to the Council by a member of the public during a meeting.	City Clerk		CY+2	GC 34090: 2 year minimum requirement CCP 1094.6: 90 days to file petition, 190 days to respond to petition. GC §54957.5 - Late received agenda items availability for public inspection. State of California Guidelines; Maintain for the Current Year plus 2 years.
02-02-07	Oaths of Office	Signed oaths of Council Members, Planning Commissioners, and Community Activities Commissioners. City Employee oaths maintained with Personnel Files.	City Clerk		AT+6	GC 34090: 2 year minimum requirement 2 CCR 26: 5 years for oaths of office. State of California Guidelines; 6 years after termination for elected officials.
02-03-00	Legislation					
02-03-01	General Information & Administration	Includes general subject information, reports and reference documents relating to the record group, but not associated with a specific record series already in the group.	City-wide		AR	Administrative Record; Review annually for relevance to current subject matter or projects, inclusion in an associated record series, or creation of a new record series.
02-03-02	Ordinances	City Council ordinances.	City Clerk	V, H	P	GC 34090(e): Permanent for decisions of the City GC 40806: City Clerk maintains book of ordinances. State of California Guidelines; Permanent.
02-03-03	Resolutions	Resolutions of the City Council and other bodies it concurrently or formerly served/serves as.	City Clerk	V, H	P	GC 34090(e); Permanent for decisions of the City State of California Guidelines; Permanent.
02-03-04	Municipal Code	Municode online code and PDF printable code. Pre-1999 versions in paper only.	City Clerk	V, H	P	GC 34090(e); Permanent for decisions of the City State of California Guidelines; Permanent.
02-04-00	Board, Commission & Committee Membership					
02-04-01	General Information & Administration	Includes general subject information, reports and reference documents relating to the record group, but not associated with a specific record series already in the group.	City-wide		AR	Administrative Record; Review annually for relevance to current subject matter or projects, inclusion in an associated record series, or creation of a new record series.
02-04-02	Commission Administrative Files	Includes communications, recruitment materials, memos and other administrative records. May include CAC & PC Panels agendas for recruitment interview meetings.	City Clerk		CY+2	GC 34090: 2 year minimum requirement. Administrative Record, State of California Guidelines.
02-04-03	Council/Commission Applications - Successful	Applications submitted as part of the Council recruitment/interview or Commission appointment process.	City Clerk		AT+5	GC 34090: 2 years minimum. GC 40801: Maintain record of proceedings. State of California Guidelines; 5 years after term of office.
02-04-04	Council/Commission Applications - Unsuccessful	Applications submitted as part of the Council recruitment/interview or Commission appointment process.	City Clerk		AC+2	GC 34090: 2 year minimum requirement. State of California Guidelines; maintain not selected applications for 2 years after completion.
02-04-05	Roster Listing	Ongoing list of members and positions over time.	City Clerk		P	GC 34090: 2 year minimum requirement. Administrative Record, State of California Guidelines. Administrative Decision; Maintain rosters permanently for historical tracking of appointments.

02-00-00 CITY CLERK

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Series Code	Series Name	Description of Documents, As Needed	Office of Record	Special Attributes	Total Retention	Citations & Legal Basis ©
02-04-06	Certificates of Appointment	Maintained in files for each individual appointee.	City Clerk		AT+5	GC 34090: 2 years minimum. GC 40801: Maintain record of proceedings. State of California Guidelines; 5 years after term of office.
02-04-07	Maddy Act Postings	Schedules of vacancies for appointed boards and commissions, including current appointees. Posted annually. May be updated to accommodate unscheduled changes.	City Clerk		CY+2	GC 34090: 2 year minimum requirement. Administrative Record, State of California Guidelines.
02-05-00 Elections Materials						
02-05-01	General Information & Administration	Includes general subject information, reports and reference documents relating to the record group, but not associated with a specific record series already in the group.	City-wide		AR	Administrative Record: Review annually for relevance to current subject matter or projects, inclusion in an associated record series, or creation of a new record series.
02-05-02	Municipal Elections (General & Special)	Includes ballot material copies, correspondence with Registrar of Voters and candidates, and notices/legal publications. Registrar of Voter maintains voter registration records. City Clerk administrative, research and working files retained for future reference. Election handbook.	City Clerk		AC+5	EC 17000-1: Affidavits and indexes are 5 years. EC 17300: 5 years after election for election rosters. EC 17302(b): 6 months after election, if no contest, for election records. GC 81009: Campaign reports, not including candidates' campaign statements. GC 34090.7: Duplicate copies may be destroyed at any time if the City Council has prescribed a procedure for destruction of duplicates per GC 34090.7. Non-records may be destroyed at any time. For all election documents where the State's requirement is permanent, but for which the County maintains the original documents.
02-05-03	Candidate Filing Forms and Nomination Documents - Elected Officials	Submitted in order to qualify for candidacy; includes nomination petition, declaration of candidacy (Form 501), optional candidate statement, candidates Statements of Economic Interest (Form 700), signature and residency verification, consent forms, ballot designation worksheet, optional Code of Fair Campaign Practices declaration, filing checklists, Certificates of Election / Appointment, and candidate statement receipt. May include correspondence with candidates that is not considered transitory in relation to a submitted form.	City Clerk		AT+4	GC 34090: 2 year minimum requirement. EC 17100: 4 years after term ends.

City of Montclair
Records Retention Schedule and UFIRST™ Index

RES 24-3437 - EXHIBIT B

02-00-00 CITY CLERK

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Series Code	Series Name	Description of Documents, As Needed	Office of Record	Special Attributes	Total Retention	Citations & Legal Basis ©
02-05-04	Candidate Filing Forms and Nomination Documents - Unsuccessful Candidates	Submitted in order to qualify for candidacy; includes nomination petition, declaration of candidacy (Form 501), optional candidate statement, candidates Statements of Economic Interest (Form 700), signature and residency verification, consent forms, ballot designation worksheet, optional Code of Fair Campaign Practices declaration, filing checklists, Certificates of Election / Appointment, and candidate statement receipt. May include correspondence with candidates that is not considered transitory in relation to a submitted form.	City Clerk		AC+2	GC 34090: 2 year minimum requirement
02-05-05	Council Sponsored Measures	Arguments and rebuttals for and against measures and accompanying documentation, if filed; County paperwork, forms and communications; and other documents related to Measures; Economic Development maintains educational and outreach materials.	City Clerk		P	GC 34460: Indefinite. Maintain copy of charter related documents in archives. EC 17000-1: Affidavits and indexes are 5 years. EC 17300: 5 years after election for election rosters. EC 17302-6: 6 months after election, if no contest, for election records. GC 81009: Campaign reports, not including candidate's campaign statements. Administrative Decision: Maintain council sponsored measures permanently for historical tracking. EC 17200: 8 months after election closes for Initiative and referendum petitions. EC 17400: 8 months after election/final examination for election recall petitions. GC 34090: 2 year minimum requirement. Administrative Decision: Maintain for 2 years after superseded for relevance to subsequent elections.
02-05-06	Initiative Measures, Referendums & Recalls	Includes petitions with original signatures.	City Clerk		AC+8M	EC 17200: 8 months after election closes for Initiative and referendum petitions. EC 17400: 8 months after election/final examination for election recall petitions. GC 34090: 2 year minimum requirement. Administrative Decision: Maintain for 2 years after superseded for relevance to subsequent elections.
02-05-07	Candidate Handbook	Information relating to running for and qualifying for City Council and filing requirements and obligations. Revised and replaced each election.	City Clerk		S+2	GC 34090: 2 year minimum requirement. Administrative Decision: Maintain for 2 years after superseded for relevance to subsequent elections.
02-06-00	Fair Political Practices Commission					
02-06-01	General Information & Administration	Includes general subject information, reports and reference documents relating to the record group, but not associated with a specific record series already in the group.	City-wide		AR	Administrative Record: Review annually for relevance to current subject matter or projects, inclusion in an associated record series, or creation of a new record series.
02-06-02	Administrative Files	Annual statement and campaign disclosure noticing and processing correspondence, conflict code updates, master FPPC forms and manuals and reference files. Retention Note: Conflict of Interest Code (for Form 700 filers) is adopted by City Council resolution every even numbered year. Resolution is retained permanently in resolution files.	City Clerk		CY+2, AR	GC 34090: 2 year minimum requirement. Administrative Record, State of California Guidelines.
02-06-03	Campaign Statements – Elected (Form 400s)	FPPC Campaign Financial Disclosure Statements for Elected officials and candidate controlled and/or committees primarily formed to support them. Filing obligation exists until committee is terminated.	City Clerk		P	GC 81009(b): maintain elected indefinitely.

02-00-00 CITY CLERK

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Series Code	Series Name	Description of Documents, As Needed	Office of Record	Special Attributes	Total Retention	Citations & Legal Basis ©
02-06-04	Campaign Statements – Unsuccessful (Form 400s)	FPPC Campaign Financial Disclosure Statements for unsuccessful candidates for office including committees primarily formed to directly support them. Filing obligation exists until committee is terminated.	City Clerk		AC+5	GC 81009(b); 5 years for unsuccessful candidates.
02-06-05	Campaign Statements – Committees (Form 400s)	FPPC Campaign Financial Disclosure Statements for general purpose and ballot measure committees. Filing obligation exists until committee is terminated.	City Clerk		AC+7	GC 81009(e); 7 year requirement for originals.
02-06-06	Statement of Economic Interests (Form 700) – Elected Officials & 87200 Filers	Mayor, City Council Members, Planning Commissioners, City Manager/Treasurer, and City Attorney.	City Clerk		AC+7	GC 81009(e); 7 year requirement for originals. GC 81009(f); 4 year requirement for copies.
02-06-07	Statement of Economic Interests (Form 700) – Employees & Commissioners, Consultants as applicable	Positions designated in the City's Conflict of Interest Code file with the City Clerk.	City Clerk		AC+7	GC 81009(e); 7 year requirement for originals. GC 81009(f); 4 year requirement for copies.
02-06-08	Form 800s	Gift to Agency Reports (Form 801) and Public Official Appointments (Form 806) as applicable and necessary.	City Clerk		AC+7	GC 81009(e); 7 year requirement for originals. GC 81009(f); 4 year requirement for copies.

03-00-00 CITY MANAGEMENT

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Series Code	Series Name	Description of Documents, As Needed	Office of Record	Special Attributes	Total Retention	Citations & Legal Basis ©
03-01-00	City Management					
03-01-01	General Information & Administration	Includes general subject information, reports and reference documents relating to the record group, but not associated with a specific record series already in the group.	City-wide		AR	Administrative Record. Review annually for relevance to current subject matter or projects, inclusion in an associated record series, or creation of a new record series.
03-01-02	City Manager Project Files	Includes communications, correspondence, memos, emails, drafts, transitory documents and other project or subject related documents. Historical Records:	City Manager	H	AC+2 P	GC 34090: 2 year minimum requirement. Administrative Record, State of California Guidelines. Administrative Decision, Maintain project files for 2 years after completion of the project. Review for potential historical information and keep permanently.
03-01-03	City Manager's Monthly Report	Provided to staff and Councilmembers, and posted on the City website.	City Manager		CY+2	GC 34090: 2 year minimum requirement. State of California Guidelines; 2 years for management reports.
03-01-04	Reports of Federal Legislative Advocate	Reports received from the City's advocate. May be related to grants, funding and economic issues.	City Manager		CY+2	GC 34090: 2 year minimum requirement.
03-02-00	General Information Technologies					
03-02-01	General Information & Administration	Includes general subject information, reports and reference documents relating to the record group, but not associated with a specific record series already in the group.	City-wide		AR	Administrative Record. Review annually for relevance to current subject matter or projects, inclusion in an associated record series, or creation of a new record series.
03-02-02	Help Desk System	Support database that tracks requests for service and support, hardware and software inventory, licensing and maintenance agreements, and other IT task tracking. Currently using Lansweeper.	IT		ACT	Transitory Record. Maintain while active or until data is transferred to a new tracking system.
03-02-03	Help Desk Correspondence	Correspondence between staff and IT regarding hardware and software issues.	IT		CY+2	GC 34090: 2 year minimum requirement. Administrative Record, State of California Guidelines.
03-02-04	Technical Network Diagrams	Documents related to network configuration. PDF maintained on the Z drive.	IT	C	CY+4	CCP 343: Statute of limitations of 4 years. State of California Guidelines; Current year plus 4 years for network configuration and diagrams.
03-02-05	Surveillance Recordings - Administrative Facilities		IT		14D rotating	GC 34090.6: 100 days. * If a claim is filed or pending litigation, retain with the case file. State of California Guidelines; 180 days for audio, telephone and radio communication tapes, with exceptions of recordings pertaining to GC 34090.6 Administrative Decision. Maintain routine surveillance recordings for a rotating 14 days due to system limitations. No approvals required for disposition since it is automatically deleted.
03-02-06	Meeting Recordings	Includes audio and/or video recordings of meetings of City Council, Planning Commission and other boards, commissions, and committees.	IT		AP+30D / P*	GC 54953.5: 30 days after recording. Administrative Decision. 30 days after "summary" minutes of recorded meeting are approved by the body. *Maintain meeting recordings permanently to support "action" minutes. Creation of action minutes approved November 21, 2022.
03-03-00	IT Projects & Licensing Records					

03-00-00 CITY MANAGEMENT

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Series Code	Series Name	Description of Documents, As Needed	Office of Record	Special Attributes	Total Retention	Citations & Legal Basis ©
03-03-01	General Information & Administration	Includes general subject information, reports and reference documents relating to the record group, but not associated with a specific record series already in the group.	City-wide		AR	Administrative Record: Review annually for relevance to current subject matter or projects, inclusion in an associated record series, or creation of a new record series.
03-03-02	Licenses & Support	Includes software EULA licenses, and maintenance and support agreements.	IT		AC+4	CCP 337(2) & (3): Statutes of limitations of 4 years. CCP 343: Statutes of limitations of 4 years. 48 CFR 4.703: 3 years after final payment. 48 CFR 4.705-1: 4 years after completion for accounting, payroll, purchasing records, et. al.
03-03-03	IT Initiated Projects	Projects directly associated with IT and infrastructure management. Computer, software and network updates and upgrades.	IT		CY+2	GC 34090: 2 year minimum requirement. State of California Guidelines: Current year plus 2 years for maintenance and operations.
03-03-04	Department Initiated Projects	Building related projects involving IT in part.	IT		CY+2	GC 34090: 2 year minimum requirement. State of California Guidelines: Current year plus 2 years for maintenance and operations.
03-04-00	Backup and Recovery Plans					
03-04-01	General Information & Administration	Includes general subject information, reports and reference documents relating to the record group, but not associated with a specific record series already in the group.	City-wide		AR	Administrative Record: Review annually for relevance to current subject matter or projects, inclusion in an associated record series, or creation of a new record series.
03-04-02	Cloud Backup System	Automatic incremental backup occurring hourly.	IT		1W rotating	GC 34090.7: Duplicate records may be destroyed within the 2 year minimum period. State of California Guidelines: Current month plus 2 months for daily backups. Administrative Decision: Maintain a 1 week rotating set of daily backups to allow for recovery. Information is duplicated on the file servers.
03-04-03	Onsite Backup System	Stored on an internal server. Daily backup overwrites after 7 days. Also includes backups of certain supervisor, manager and director local drives.	IT		1W rotating	GC 34090.7: Duplicate records may be destroyed within the 2 year minimum period. State of California Guidelines: Current month plus 2 months for daily backups. Administrative Decision: Maintain a 1 week rotating set of daily backups to allow for recovery. Information is duplicated on the file servers.
03-04-04	Archive Social	Backup of changes to social media sites.	IT		CY+2	GC 34090: 2 year minimum requirement.

04-00-00 LEGAL & PROPERTY

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Series Code	Series Name	Description of Documents, As Needed	Office of Record	Special Attributes	Total Retention	Citations & Legal Basis ©
04-01-00	General Legal					
04-01-01	General Information & Administration	Includes general subject information, reports and reference documents relating to the record group, but not associated with a specific record series already in the group.	City-wide		AR	Administrative Record: Review annually for relevance to current subject matter or projects, inclusion in an associated record series, or creation of a new record series.
04-01-02	Public Records Requests		City-wide		AC+2	GC 34090: 2 year minimum requirement. State of California Guidelines; 2 years after completion.
04-02-00	City Attorney					
04-02-01	General Information & Administration	Includes general subject information, reports and reference documents relating to the record group, but not associated with a specific record series already in the group.	City-wide		AR	Administrative Record: Review annually for relevance to current subject matter or projects, inclusion in an associated record series, or creation of a new record series.
04-02-02	Closed Session	Closed Session materials and notes.	Attorney		P	GC 34090e: Minutes of governing bodies, Permanent. GC 36814: Maintain record of proceedings. GC 40801: Maintain record of proceedings.
04-02-03	Legal Opinions	Official opinions issued by City Attorney at the request of the City Manager or City Council.	Attorney	C	AC+2	GC 34090: 2 year minimum requirement. State of California Guidelines; 2 years after superseded. Administrative Decision: Maintain legal opinions for 2 years after the matter is closed. The State's guideline is inconsistent with the type of documents.
04-02-04	Department Advice & Assistance	Advice and informal opinions issued to departments upon request.	Attorney		AC+2	GC 34090: 2 year minimum requirement. State of California Guidelines; 2 years after superseded. Administrative Decision: Maintain department assistance projects for 2 years after the matter is closed. The State's guideline is inconsistent with the type of documents.
04-02-05	Litigation	Duplicate of originals on file with the County. General cases: High profile cases: Attorney / Client privileged communications	Attorney Attorney Attorney		AC+7 P	GC 34090: 2 year minimum requirement. State of California Guidelines; 7 years after closure for case records; maintain high profile cases permanently. GC 34090: 2 year minimum requirement. Administrative Decision: Maintain correspondence for 2 years after the matter is closed.
04-02-06	City Attorney Correspondence		Attorney	C	AC+2	GC 34090: 2 year minimum requirement. Administrative Decision: Maintain correspondence for 2 years after the matter is closed.

04-00-00 LEGAL & PROPERTY

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Series Code	Series Name	Description of Documents, As Needed	Office of Record	Special Attributes	Total Retention	Citations & Legal Basis ©
04-03-00	Agreements / Contracts / MOUs					
04-03-01	General Information & Administration	Includes general subject information, reports and reference documents relating to the record group, but not associated with a specific record series already in the group.	City-wide		AR	Administrative Record. Review annually for relevance to current subject matter or projects. Inclusion in an associated record series, or creation of a new record series.
04-03-02	Service, Equipment & Supply Agreements	Vendors, product acquisitions, professional service agreements, services, individual employment, professional services and consultants, purchase, leases, licenses and all other general City agreements. Agreements and contracts over the \$15,000 approval limit and/or approved by Council maintained by the City Clerk.	City-wide	V	AC+4	CCP 337(2) & (3); Statutes of limitations of 4 years. CCP 337.2; Statutes of limitations of 4 years. 48 CFR 4.703; 3 years after final payment. 48 CFR 4.705-1; 4 years after completion for accounting, payroll, purchasing records, et. al.
04-03-03	Infrastructure, Mutual Aid & Labor Agreements	Capital improvement, development, subdivision, franchise, joint powers, mutual aid, labor unit MOU and other infrastructure related agreements.	City-wide	V	P	GC 34090(a), Real property records, maintain. CCP337, 337.1(a), 337.15; Statutes of limitations of 10 years maximum. CCP 337(2) & (3); Statutes of limitations of 4 years. 48 CFR 4.703; 3 years after final payment. 48 CFR 4.705-1; 4 years after completion for accounting, payroll, purchasing records, et. al. H&S 19850; Life of Building, with exceptions. 29 USC 211c; Maintain, Indefinite. 29 USC 203m; Definitions. 29 USC 207g; Definitions.
04-03-04	Grant Agreements	Contract documents related to the receipt of a grant	City-wide	V	AFP+5*	State of California Guidelines; Permanent. 29 CFR 97.36(i)(11); 3 years after final payment. 29 CFR 97.42(b); 3 years after final payment. 2 CFR 200.334; 3 years after final expenditure report for federal grants. 24 CFR 570.502(a)(7)(i)(a); Deeds/CDBG activities, 4 years after closure of loan. State of California Guidelines; 5 years after grant closure. *State recommends referring to grant application close-out procedures, if any.
04-03-05	Settlement Agreements		Attorney	V	AC+5	CCP 343; Statutes of limitations, general 4 years. State of California Guidelines; 5 years after termination for non-capital improvement agreements and contracts. Administrative Decision. Maintain general settlement agreements for 5 years after closure/completion to coincide with other general city agreements.
04-03-06	Irrevocable Annexation Agreements	Contracts with property owners to annex into the City at the earliest opportunity in exchange to be connected to the City's sewer system. Must be approved by LAFCO and are then recorded against the property and become binding to all future owners and assigns.	CD	V	P	GC 34090(a), Real property records, maintain. H&S 19850; Life of Building, with exceptions. 29 USC 211c; Maintain, Indefinite. State of California Guidelines; Permanent.

04-00-00 LEGAL & PROPERTY

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Series Code	Series Name	Description of Documents, As Needed	Office of Record	Special Attributes	Total Retention	Citations & Legal Basis ©
04-04-00	Property Related Records					
04-04-01	General Information & Administration	Includes general subject information, reports and reference documents relating to the record group, but not associated with a specific record series already in the group.	City-wide		AR	Administrative Record. Review annually for relevance to current subject matter or projects. Inclusion in an associated record series, or creation of a new record series.
04-04-02	Assessment Districts	Communications related to the creation and management of Community Facilities Districts and other types of assessment districts.	ED		P	GC 34090(a): Permanent for land and property records. CCP 338: 3 year statute of limitations. State of California Guidelines; Permanent.
04-04-03	Assessment District Ballots & Protest Letters	Prop. 218 proceedings and election materials.	ED		AC+2	GC 53753: 2 years after completion for ballots. GC 53755: 2 years after completion for protests.
04-04-04	Easements, Deeds, Quitclaim Deeds & Grant Deeds		CD / ED / PW	V	P	GC 34090(a): Permanent for land and property related documents. 24 CFR 1710: Permanent.
04-04-05	Right of Way		PW	V	P	GC 34090(a): Permanent for land and property related documents. 24 CFR 1710: Permanent.
04-04-06	Vacations/Abandonments		PW	V	P	GC 34090(a): Permanent for land and property records. State of California Guidelines; Permanent.
04-04-07	Annexations		CD / ED	V	P	GC 34090(a): Permanent for land and property records. State of California Guidelines; Permanent.

05-00-00 FINANCE

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05-01-00	General Accounting Group					
05-01-01	General Information & Administration	Includes general subject information, reports and reference documents relating to the record group, but not associated with a specific record series already in the group.	City-wide		AR	Administrative Record: Review annually for relevance to current subject matter or projects, inclusion in an associated record series, or creation of a new record series.
05-01-02	Springbrook Financial Database	Started in 2008.	Finance		ACT	Transitory Record: Maintain while active or until data is transferred to a new tracking system.
05-01-03	Journal Entries	Includes year end journal entries, such as accruals.	Finance		AA+2	GC 34090: 2 years minimum. State of California Guidelines: 2 years after audit
05-02-00	Accounts Payable					
05-02-01	General Information & Administration	Includes general subject information, reports and reference documents relating to the record group, but not associated with a specific record series already in the group.	City-wide		AR	Administrative Record: Review annually for relevance to current subject matter or projects, inclusion in an associated record series, or creation of a new record series.
05-02-02	Warrants	Includes invoices, check stubs and backup information.	Finance		AA+4	GC 34090: 2 year minimum requirement. State of California Guidelines: 4 years after audit.
05-02-03	Credit Card Statements	Currently in paper format.	Finance		AA+4	GC 34090: 2 year minimum requirement. CCP 337: 4 year statute of limitations. State of California Guidelines: 4 years after audit.
05-02-04	Trip Forms	Reimbursements for staff travel.			AA+4	GC 34090: 2 year minimum requirement. State of California Guidelines: 4 years after audit.
05-02-05	Purchase Orders	Maintained electronically as a process in Springbrook. Approvals are completed in the software.	Finance		AA+4	GC 34090: 2 year minimum requirement. CCP 337: Statute of limitations. State of California Guidelines: 4 years after audit.
05-02-06	Annual Tax Payments	Includes payments on sales and other taxes due.	Finance		AA+5	GC 34090: 2 year minimum requirement. 29 USC 436: 5 years. 26 CFR 31.6001: 4 years after tax return is filed. R&T 19530: 3 years after tax return is filed. 29 CFR 516.2-6: Maintain at least 3 years. State of California Guidelines: 4 years after audit.
05-02-07	W-9 / 1099 Reporting		Finance		AA+4	GC 34090: 2 year minimum requirement. 26 CFR 31.6001: 4 years after tax return is filed. R&T 19530: 3 years after tax return is filed. 29 CFR 516.5: Maintain at least 3 years. State of California Guidelines: 4 years after audit.
05-03-00	Accounts Receivable					
05-03-01	General Information & Administration	Includes general subject information, reports and reference documents relating to the record group, but not associated with a specific record series already in the group.	City-wide		AR	Administrative Record: Review annually for relevance to current subject matter or projects, inclusion in an associated record series, or creation of a new record series.
05-03-02	Miscellaneous Receivables	Includes receivables from false alarms, administrative citations, property damage, special police assignments, disturbance of the peace and other miscellaneous receivables.	Finance		AA+4	GC 34090: 2 year minimum requirement. CCP 337: Statute of limitations, 4 years for action. State of California Guidelines: 4 years after audit.

05-00-00 FINANCE

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Series Code	Series Name	Description of Documents, As Needed	Office of Record	Special Attributes	Total Retention	Citations & Legal Basis ©
05-03-03	Cash Receipts	Includes cash, credit card and other miscellaneous revenue. For utility users, TOT, special revenues from measures and propositions, AQMD and other cash receipts.	Finance		AA+4	GC 34090: 2 year minimum requirement CCP 337: Statute of limitations, 4 years for action. State of California Guidelines: 4 years after audit.
05-03-04	Bank Deposits		Finance		AA+4	GC 34090: 2 year minimum requirement. CCP 337: Statute of limitations, 4 years for action. State of California Guidelines: 4 years after audit.
05-03-05	Collections / NSF	Includes returned checks, administrative citations and other collection activities.	Finance		AA+4	GC 34090: 2 year minimum requirement. CCP 337: Statute of limitations, 4 years for action. State of California Guidelines: 4 years after audit.
05-03-06	Deposits / Trust Accounts	Includes developer deposits for permits, legal services and other trust accounts maintained by the City. Retention starts after closure of account.	Finance		AC+4	GC 34090: 2 year minimum requirement. CCP 337: Statute of limitations, 4 years for action. State of California Guidelines: 4 years after audit. Administrative Decision: Maintain trust accounts for 4 years after the account is closed. Retention starts after the account is closed.
05-04-00	Auditing					
05-04-01	General Information & Administration	Includes general subject information, reports and reference documents relating to the record group, but not associated with a specific record series already in the group.	City-wide		AR	Administrative Record: Review annually for relevance to current subject matter or projects, inclusion in an associated record series, or creation of a new record series.
05-04-02	Annual Audited Financial Statement	Includes sales, utility users, TOT and all other revenues.	Finance		P	GC 34090: 2 years minimum. State of California Guidelines: 7 years after audit. Administrative Decision: Maintain annual financial statements permanently.
05-04-03	Single Audit	For federal grants totaling over \$750,000 for the year.	Finance		P	GC 34090: 2 years minimum. State of California Guidelines: Permanent.
05-04-04	Annual Individual Audits	Includes Measure I, gas tax (street report), and other individual audits.	Finance		P	GC 34090: 2 years minimum. State of California Guidelines: Permanent.
05-04-05	Year-End Work Papers	Electronically maintained on the Z drive.	Finance		AA+2	GC 34090: 2 years minimum. State of California Guidelines: 2 years after audit.
05-05-00	Banking & Investing					
05-05-01	General Information & Administration	Includes general subject information, reports and reference documents relating to the record group, but not associated with a specific record series already in the group.	City-wide		AR	Administrative Record: Review annually for relevance to current subject matter or projects, inclusion in an associated record series, or creation of a new record series.
05-05-02	Bank Statements & Reconciliations	Also includes account analysis statements and cancelled or voided checks.	Finance		AA+5	GC 34090: 2 years minimum. 26 CFR 31.6001-1(e)(2): 4 years. State of California Guidelines: 5 years after audit.
05-05-03	Investments	Broker notices, transaction confirmations.	Finance		P	GC34090: 2 year minimum requirement. CCP 337: Statutes of limitations, 4 years for action. State of California Guidelines: Permanent.
05-05-04	Monthly Treasurer's Report to Council	Management report included in the agenda packet.	Finance		CY+2	GC 34090: 2 year minimum requirement. State of California Guidelines: 2 years for management reports.

05-00-00 FINANCE

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Series Code	Series Name	Description of Documents, As Needed	Office of Record	Special Attributes	Total Retention	Citations & Legal Basis ©
05-06-00	Budgeting					
05-06-01	General Information & Administration	Includes general subject information, reports and reference documents relating to the record group, but not associated with a specific record series already in the group.	City-wide		AR	Administrative Record: Review annually for relevance to current subject matter or projects, inclusion in an associated record series, or creation of a new record series.
05-06-02	Annual Budget	Includes general City budget and MHC, Workpapers and preliminary budgets leading up to the approved budget are transitory and may be destroyed after budget approval.	Finance	H, V	P	GC 34090: 2 years minimum. State of California Guidelines: 7 years after audit. Administrative Decision: Maintain annual budgets permanently for reference and historic value.
05-06-03	Budget Adjustments & Journal Entries	Also includes mid-year budget adjustments.	Finance		AA+2	GC 34090: 2 years minimum. State of California Guidelines: 2 years after audit.
05-07-00	Business Licensing					
05-07-01	General Information & Administration	Includes general subject information, reports and reference documents relating to the record group, but not associated with a specific record series already in the group.	City-wide		AR	Administrative Record: Review annually for relevance to current subject matter or projects, inclusion in an associated record series, or creation of a new record series.
05-07-02	City Business Licenses	Includes applications and initial setup documents are scanned and attached to business license accounts in Springbrook. Renewal forms are attached to cash receipts.	Finance		AT+4	GC 34090: 2 year minimum requirement. CCP 337: Statute of limitations. State of California Guidelines: 4 years after termination.
05-07-03	Permits	Includes film, dance, alarm and other temporary permits.	Finance		AC+2	GC 34090: 2 years minimum. State of California Guidelines: Current year plus 2 years for Temporary Use Permits.
05-08-00	Debt Financing					
05-08-01	General Information & Administration	Includes general subject information, reports and reference documents relating to the record group, but not associated with a specific record series already in the group.	City-wide		AR	Administrative Record: Review annually for relevance to current subject matter or projects, inclusion in an associated record series, or creation of a new record series.
05-08-02	City Bonds	Final bond documentation and agreement.	Finance		P	GC 34090: 2 years minimum. GC 43900-43903: Destruction guidelines for bonds. CCP 337.5: Statutes of limitations. FC 30210: Maintain. State of California Guidelines: Permanent for bond issues and agreements.
05-08-03	Bond Statements & Reports	Includes official trustee statements, assessments, arbitrage, annual statements, bond disclosure, bond pay-offs, bond convenience and cash/surety bonds.	Finance		AFP+10	GC 34090: 2 years minimum. GC 43900-43903: Destruction guidelines for bonds. CCP 337.5: Statutes of limitations. FC 30210: Maintain. State of California Guidelines: 10 years after closure/expiration.
05-09-00	Financial Reporting					
05-09-01	General Information & Administration	Includes general subject information, reports and reference documents relating to the record group, but not associated with a specific record series already in the group.	City-wide		AR	Administrative Record: Review annually for relevance to current subject matter or projects, inclusion in an associated record series, or creation of a new record series.

05-00-00 FINANCE

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Series Code	Series Name	Description of Documents, As Needed	Office of Record	Special Attributes	Total Retention	Citations & Legal Basis ©
05-09-02	State Controllers Reports	State Controller maintains reports for 5 years.	Finance		CY+5	GC 34090: 2 years minimum. State of California Guidelines: Permanent. Administrative Decision: Maintain submitted reports for the current year plus 5 to follow the State's retention period for submitted reports.
05-09-03	Sales & Unpaid Tax Reports	Reported to the California Dept of Tax & Financial ... (CDTFA) electronically in PDF for reference. Includes sales, use and property tax analysis reporting and unpaid taxes on purchases outside of state.	Finance		AA+5	GC 34090: 2 year minimum requirement. 29 USC 436: 5 years. 26 CFR 31 6001: 4 years after tax return is filed. R&T 19530: 3 years after tax return is filed. 29 CFR 516-5: Maintain at least 3 years. State of California Guidelines: 4 years after audit.
05-09-04	Street Reports	Representative from the State helps the City prepare the report.	Finance		AA+5	GC 34090: 2 year minimum requirement. 29 USC 436: 5 years. 26 CFR 31 6001: 4 years after tax return is filed. R&T 19530: 3 years after tax return is filed. 29 CFR 516-5: Maintain at least 3 years. State of California Guidelines: 4 years after audit.
05-09-05	Quarterly Diesel & SMIP Reports	Reports sent to the State. Quarterly Diesel Report are to report diesel fuel purchased and used by the City and pay fuel taxes. SMIP Reports are the Strong Motion Instrumentation and Seismic Hazard Mapping Fees collected through the Building Department.	Finance		AA+5	GC 34090: 2 year minimum requirement. 29 USC 436: 5 years. 26 CFR 31 6001: 4 years after tax return is filed. R&T 19530: 3 years after tax return is filed. 29 CFR 516-5: Maintain at least 3 years. State of California Guidelines: 4 years after audit.
05-10-00	Fixed Assets					
05-10-01	General Information & Administration	Includes general subject information, reports and reference documents relating to the record group, but not associated with a specific record series already in the group.	City-wide		AR	Administrative Record: Review annually for relevance to current subject matter or projects, inclusion in an associated record series, or creation of a new record series.
05-10-02	Fixed Asset List	Includes the depreciation schedule spreadsheet. For general fixed assets, land, property, infrastructure (construction in progress, CIP) and buildings.	Finance		AA+4	GC 34090: 2 year minimum requirement. State of California Guidelines: 4 years after audit for fixed asset inventories, no specific retention for depreciation schedules.
05-10-03	Equipment Replacement List	For equipment replaced or sold.	Finance		CY+2	GC 34090: 2 years minimum.
05-11-00	Grants					
05-11-01	General Information & Administration	Includes general subject information, reports and reference documents relating to the record group, but not associated with a specific record series already in the group.	City-wide		AR	Administrative Record: Review annually for relevance to current subject matter or projects, inclusion in an associated record series, or creation of a new record series.

City of Montclair
 Records Retention Schedule and UFIRST™ Index
 05-00-00 FINANCE

RES 24-3437 - EXHIBIT B

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Series Code	Series Name	Description of Documents, As Needed	Office of Record	Special Attributes	Total Retention	Citations & Legal Basis ©
05-11-02	Grant Applications & Agreements	Payments and spending reports for federal, state, county and school district grants. Other documents maintained with the grant administrator files.	Finance		AC+5*	29 CFR 97.36(f)(1); 3 years after final payment 29 CFR 97.42(b); 3 years after final payment 2 CFR 200.334; 3 years after final expenditure report for federal grants 24 CFR 570.502(a)(7)(i)(a); Deeds/CDBG activities, 4 years after closure of loan State of California Guidelines; 5 years after grant closure. *State recommends referring to grant application close-out procedures, if any.
05-11-03	CDBG Grant Applications & Agreements	Payments and spending reports. Other documents maintained with the grant administrator files.	Finance		AC+4*	29 CFR 97.36(f)(1); 3 years after final payment. 29 CFR 97.42(b); 3 years after final payment. 2 CFR 200.334; 3 years after final expenditure report for federal grants. 24 CFR 570.502(a)(7)(i)(a); Deeds/CDBG activities, 4 years after closure of loan. State of California Guidelines; 5 years after grant closure. *State recommends referring to grant application close-out procedures, if any.

05-00-00 FINANCE

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Series Code	Series Name	Description of Documents, As Needed	Office of Record	Special Attributes	Total Retention	Citations & Legal Basis ©
05-12-00	Payroll					
05-12-01	General Information & Administration	Includes general subject information, reports and reference documents relating to the record group, but not associated with a specific record series already in the group.	City-wide		AR	Administrative Record: Review annually for relevance to current subject matter or projects, inclusion in an associated record series, or creation of a new record series.
05-12-02	Time Sheet Proof Lists	Time sheets maintained by some departments in paper format and signed by the employee. Information entered by departments into Springbrook and proof list printed to PDF and stored on the Z drive.	Finance		AA+6	GC 34090: 2 year minimum requirement 29 CFR 516.2: Maintain. 29 CFR 516.6: 2 years. R&T 19530: 3 years after tax return due. R&T 19704: 6 year statute of limitations. LC 1174: 2 years after pay period. 26 CFR 31 6001-1: 4 years after tax return due. 29 USC 255(a): 2 to 3 years statute of limitations for minimum wages. State of California Guidelines: 6 years after audit.
05-12-03	Employee Payroll Files				AS+6	GC 34090: 2 year minimum requirement. LC 1174: 3 years for payroll records. LC 1197.5(d): 2 years for payroll records. 22 CCR 1085.2(c): 4 years for unemployment contributions. 29 CFR 516.2(a)(10): Maintain. 29 CFR 516.6: 2 years. LC 1174: 2 years after pay period. 29 USC 255(a): 2 to 3 years statute of limitations for minimum and unpaid wages. 29 USC 1027, 1113, 1451 (ERISA) (6 years): Benefit plans for employees. State of California Guidelines: 4 years after termination.
05-12-04	Payroll Registers	Includes payroll adjustments and the registers. Currently printed to PDF.	Finance	C	P	GC 34090: 2 years minimum. GC 12946: 4 years after termination. 29 CFR 516.2-6: 4 years after tax return filing. 29 CFR 1627: 3 years. State of California Guidelines: Permanent.
05-12-05	PERS Retirement Reports	Includes member and employer contribution reports.	Finance		P	GC 34090: 2 year minimum requirement. GC 12946: 4 years after submission or creation. 29 CFR 1627.3(b)(2) EEOC/ADDEA requires 1 year after benefit plan termination. State of California Guidelines: Permanent for PERS working documents, 4 years after termination for employee deduction reports.
05-12-06	Quarterly Payroll Returns	Includes Form 941, DE9 and other quarterly returns.	Finance		AA+6	GC 34090: 2 year minimum requirement. 29 USC 436: 5 years. 26 CFR 31 6001: 4 years after tax return is filed. R&T 19530: 3 years after tax return is filed. R&T 19704: 6 year statute of limitations. 29 CFR 516.2-6: Maintain at least 3 years. State of California Guidelines: 4 years after audit.

City of Montclair
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05-00-00 FINANCE

RES 24-3437 - EXHIBIT B

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Series Code	Series Name	Description of Documents, As Needed	Office of Record	Special Attributes	Total Retention	Citations & Legal Basis ©
05-12-07	W-4 / DE-4 Forms		Finance		AA+6	GC 34090: 2 year minimum requirement 29 USC 436: 5 years. 26 CFR 31.6001: 4 years after tax return is filed. R&T 19530: 3 years after tax return is filed. R&T 19704: 6 year statute of limitations. 29 CFR 516.2-6: Maintain at least 3 years. State of California Guidelines: 4 years after audit.
05-12-08	W-2s / W-2 Reporting		Finance	C	AA+6	GC 34090: 2 year minimum requirement. 29 USC 436: 5 years. 26 CFR 31.6001: 4 years after tax return is filed. R&T 19530: 3 years after tax return is filed. R&T 19704: 6 year statute of limitations. 29 CFR 516.2-6: Maintain at least 3 years. State of California Guidelines: 4 years after audit.
05-12-09	Deferred Compensation	Records of distributions paid by employee and the City.			P	29 CFR 1627.3 - 4: 3 years after termination. 29 CFR 1602.30 - 32: 2 - 3 years after termination. 29 CFR 1650.202: 10 years from date of action for tax payments. 29 CFR 516.5 - 6: 3 years after action. 29 USC 1113: 6 years after date of last action. GC 12946: 4 years after termination or action. State of California Guidelines: Termination plus 5 years. Administrative Decision: Maintain deferred compensation reports permanently since all employees are listed in the report.
05-12-10	Garnishments / Withholding Orders	Includes active garnishments, child support, IRS liens, FTB liens, vehicle registration liens, etc. Letter closing the garnishment or withholding are kept in the employee payroll file.	Finance	C	AA+6	GC 34090: 2 year minimum requirement. 29 USC 436: 5 years. 26 CFR 31.6001: 4 years after tax return is filed. R&T 19530: 3 years after tax return is filed. R&T 19704: 6 year statute of limitations. 29 CFR 516.2-6: Maintain at least 3 years. State of California Guidelines: 4 years after audit.
05-12-11	Actuarial Reports	Supplied by PERS for rate changes. Includes pension PERS and OPEB actuarial reports. Maintained in PDF.	Finance		CY+5	GC 34090: 2 year minimum requirement. State of California Guideline: 5 years after completed.
05-13-00	Successor Agency					
05-13-01	General Information & Administration	Includes general subject information, reports and reference documents relating to the record group, but not associated with a specific record series already in the group.	City-wide		AR	Administrative Record: Review annually for relevance to current subject matter or projects, inclusion in an associated record series, or creation of a new record series.
05-13-02	ROPS	Includes reports to the State Controller along with the ROPS.	Finance		P	GC 34090: 2 years minimum. GC 53901: Budgets copy must be filed with the County. State of California Guidelines: Permanent. Permanent refers to one final copy of the approved budget.

05-00-00 FINANCE

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Series Code	Series Name	Description of Documents, As Needed	Office of Record	Special Attributes	Total Retention	Citations & Legal Basis ©
05-13-03	Long Range Property Management Plan	Fiscal Year budget-to-actual report sent to the county, who then sends it to the State Controller's Office. Required reporting.	Finance		P	GC 34090: 2 years minimum. State of California Guidelines: Permanent.
05-13-04	RPTTF Payment	Records of all properties owned by the RDA being sold off from the City.	Finance		AA+4	GC 34090: 2 year minimum requirement. CCP 337: Statute of limitations, 4 years for action. State of California Guidelines: 4 years after audit.
05-13-05	Successor Agency / RDA Bonds	Payments received from ROPS to pay off obligations.	Finance		P	GC 34090: 2 years minimum. GC 43900-43903: Destruction guidelines for bonds. CCP 337.5: Statutes of limitations. FC 30210: Maintain. State of California Guidelines: Permanent for bond issues.
05-13-06	Bond Statements & Reports	Final bond documentation. Includes official statements, arbitrage, annual statements, bond disclosure, bond pay-offs, bond convenience and cash/surety bonds.	Finance		AC+10	GC 34090: 2 years minimum. GC 43900-43903: Destruction guidelines for bonds. CCP 337.5: Statutes of limitations. FC 30210: Maintain. State of California Guidelines: 10 years after closure/expiration.
05-14-00	Utilities					
05-14-01	General Information & Administration	Includes general subject information, reports and reference documents relating to the record group, but not associated with a specific record series already in the group.	Citywide		AR	Administrative Record: Review annually for relevance to current subject matter or projects. Inclusion in an associated record series, or creation of a new record series.
05-14-02	Sewer & Trash Rate Planning	Includes Prop 218 rate assessment planning and associated protest letters.	Finance		AC+2	GC 34090: 2 year minimum requirement. GC 53753: 2 years after completion for ballots. GC 53755: 2 years after completion for protests. State of California Guidelines: 2 years after completion for general studies and surveys.
05-14-03	Utility Billing	For sewer and trash. Includes payments and stubs.	Finance		AA+4	GC 34090: 2 years minimum. State of California Guidelines: 4 years after audit.
05-14-04	Meter Readings	Received from Monte Vista Water District.			AC+2	GC 34090: 2 years minimum. State of California Guidelines: 2 years after completion for utility connections.
05-14-05	Liens / Assessments	Also includes proof of mailing or service informing customer of potential lien. If lien is not paid, the City assesses property taxes. Liens are processed 6 times per year. Assessments processed annually. If the customer pays the proposed lien before the stated due date the lien is not placed on the property and a lien document is not created.	Finance		AC+2	GC 34090: 2 year minimum requirement. State of California Guidelines: Closure of the lien plus 2 years.
05-14-06	Customer Accounts	Includes connects and disconnects for sewer and trash. Scanned to Springbrook and also kept in PDF on the Z drive.	Finance		AT+4	GC 34090: 2 year minimum requirement. CCP 337: 4 year statute of limitations. State of California Guidelines: 4 years after audit. Administrative Decision: Keep customer maintenance files for 4 years after customer account is closed to satisfy retention for invoices paid by the customer.

06-00-00 PERSONNEL

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06-01-00	CAIPERS					
06-01-01	General Information & Administration	Includes general subject information, reports and reference documents relating to the record group, but not associated with a specific record series already in the group.	City-wide		AR	Administrative Record. Review annually for relevance to current subject matter or projects, inclusion in an associated record series, or creation of a new record series.
06-01-02	Plan Contracts & Plan Amendments	Supplied by CalPERS for rate changes. Accessible electronically on the myCalPERS website.	Personnel		P	GC 34090: 2 year minimum requirement. GC 12946: 4 years after submission or creation. 29 CFR 1627.3(b)(2) EEOC/ADEA requires 1 year after benefit plan termination. State of California Guidelines; Permanent for CalPERS documents.
06-01-03	Rate Changes	Supplied by PERS for rate changes. Accessible electronically on the myCalPERS website.	Personnel		P	GC 34090: 2 year minimum requirement. GC 12946: 4 years after submission or creation. 29 CFR 1627.3(b)(2) EEOC/ADEA requires 1 year after benefit plan termination. State of California Guidelines; Permanent for CalPERS documents.
06-01-04	Communications	Communications regarding individuals and potential issues with retirement.	Personnel		CY+2	GC 34090: 2 year minimum requirement. State of California Guidelines; Administrative Record.
06-01-05	CalPERS Enrollment Forms	Employees being enrolled into CalPERS.	Personnel		P	GC 34090: 2 year minimum requirement. GC 12946: 4 years after submission or creation. 29 CFR 1627.3(b)(2) EEOC/ADEA requires 1 year after benefit plan termination. State of California Guidelines; Permanent for CalPERS documents.
06-01-06	Industrial Disability Retirements	CalPERS IDR form from applicant including supporting documentation, and Letter of Determination from City Manager.	Personnel		P	GC 12946: 4 years after submission or creation. 8 CCR 15400: Maintain reports. 8 CCR 15400.2: 5 years. 8 CCR 10102: 5 years. LC 129(a): 5 years for auditing. State of California Guidelines; Permanent for workers compensation working files (Claim files, reports, incidents). Originals filed with third party administrator. Permanent for CalPERS documents.
06-02-00	Employee Files					
06-02-01	General Information & Administration	Includes general subject information, reports and reference documents relating to the record group, but not associated with a specific record series already in the group.	City-wide		AR	Administrative Record. Review annually for relevance to current subject matter or projects, inclusion in an associated record series, or creation of a new record series.
06-02-02	Personnel Files	FT, PT, temporary, council and commissioners. Includes Personnel Action Forms, applications, training certificates, educational incentive programs & tuition reimbursement, performance evaluations, disciplinary actions, employment contracts / agreements (not including union negotiations and resulting contracts/agreements), FMLA/CFRAPPDL letters and miscellaneous communications.	Personnel	C, V	AS+6	29 CFR 1627.3 - 4: 3 years after termination. 29 CFR 1602.30 - 32: 2 - 3 years after termination. 29 CFR 516.5 - 6: 3 years after action. 29 USC 1113: 6 years after date of last action. 2 CCR 26: 5 years for various employment records. GC 12946: 4 years after termination or action. State of California Guidelines: 3 years after termination.

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Series Code	Series Name	Description of Documents, As Needed	Office of Record	Special Attributes	Total Retention	Citations & Legal Basis ©
06-02-03	Employee Medical Files	FMLA, exposure, doctor's notes, fingerprints, pre-employment physicals and other medical information.	Personnel	C, V	AS+30	8 CCR 15400: Maintain reports. LC 90 - 139.6: 5 years for auditing. LC 64.10: OSHA, maintain. 29 CFR 1627.3(b)(1): 1 year from action. 29 CFR 1910.1020: 30 years after employee termination. State of California Guidelines: 30 after completion/closure.
06-02-04	I-9 Forms		Personnel		T+4	GC 12946: 4 years after completion/position filled. GC 7920.000: Public Records Act, release of confidential information. 29 CFR 1602.14: 1 year after position filled. 29 CFR 1607: Maintain. 29 CFR 1627.3(b)(1): 1 year from action. 29 USC 211c: Maintain, no retention period stated. USCIS Form I-9: Maintain for 3 years after completion or 1 year after employment is terminated, whichever is longer.
06-02-05	Background Check Files - Hired Employees	Includes DOJ fingerprinting and other background checks for hired candidates.	Personnel			GC 34090: 2 year minimum requirement. PC 832.5: 5 years for officer complaints. 2 CCR 26: 5 years for oaths of office. State of California Guidelines: 3 years after termination/separation for hired general employees, Permanent for hired Safety Personnel, 2 years after position closes for Safety Personnel not hired.
06-02-06	Personnel Cards	Hired non-safety employees: Hired safety employees: Employee history (position titles, hire dates, promotions, terminations, etc.) maintained on index cards for employees prior to 2008, cards kept in vault. Older position data/history (prior to 2008) not entered into Springbrook.	Personnel Personnel Personnel		AS+5 P 100Y	29 CFR 1627.3 - 4: 3 years after termination. 29 CFR 1602.30 - 32: 2 - 3 years after termination. 29 CFR 516.5 - 6: 3 years after action. 29 USC 1113: 6 years after date of last action. GC 12946: 4 years after termination or action. State of California Guidelines: 3 years after termination. Administrative Decision: Maintain cards for the life of the employee. Physical cards not used since 2008. Series will expire after destruction of the cards is completed.
06-03-00	Employee Management					
06-03-01	General Information & Administration	Includes general subject information, reports and reference documents relating to the record group, but not associated with a specific record series already in the group.	City-wide		AR	Administrative Record: Review annually for relevance to current subject matter or projects, inclusion in an associated record series, or creation of a new record series.
06-03-02	Administrative Policies	Policies applicable citywide for internal employee conduct and city operations.	Personnel		S+5	GC 34090: 2 year minimum requirement. CCP 343: 4 years to commence action. 2 CCR 26: 5 years for oaths of office. Administrative Record, State of California Guidelines recommends retaining for 5 years after superseded.

06-00-00 PERSONNEL

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Series Code	Series Name	Description of Documents, As Needed	Office of Record	Special Attributes	Total Retention	Citations & Legal Basis ©
06-03-03	Class Specifications	Job descriptions for each position, updated periodically with Personnel Committee approval.	Personnel	C	P	GC 34090: 2 year minimum requirement 2 CCR 26: 5 years for various employment records. Administrative Decision: Maintain job description permanently to support potential workers compensation claims.
06-03-04	Salary Surveys	Those not performed in conjunction with negotiations.	Personnel		CY+5	GC 34090: 2 year minimum requirement. GC 12946: 4 years after completion/position filled. 29 CFR 516.6(2): 2 years for wage rate tables, etc. 2 CCR 570.5: 5 years for pay schedules and special compensation records. 2 CCR 26: 5 years for various employment records. 29 CFR 1602.14: 1 year after action/change. State of California Guidelines: Retain records for the current year they are drafted, plus two additional years.
06-03-05	Salary Schedules	List of all current active positions and salary ranges. Periodically updated. Effective dates for changes noted in the footer of each schedule.	Personnel		CY+5	GC 34090: 2 year minimum requirement. GC 12946: 4 years after completion/position filled. 29 CFR 516.6(2): 2 years for wage rate tables, etc. 2 CCR 570.5: 5 years for pay schedules and special compensation records. 2 CCR 26: 5 years for various employment records. 29 CFR 1602.14: 1 year after action/change. State of California Guidelines: Retain records for the current year they are drafted, plus two additional years.
06-03-06	Employee Complaints	Including harassment complaints.	Personnel			GC 34090: 2 year minimum requirement. GC 12946: 4 years after completion. 29 CFR 1602.14: 1 year after action/change. 29 USC 211c: Maintain, Indefinite. 29 USC 203m: Definitions. 29 USC 207g: Definitions. State of California Guidelines: 2 years after termination for general employees, 5 years after termination for safety employees.
06-03-07	COBRA Notices	Notices sent to former employees that they are eligible for COBRA. Includes elected and declined/no response to notices.	Personnel		AS+5 AS+4 CY+4	GC 34090: 2 year minimum requirement. 29 CFR 1627.3 - 4: 3 years after termination. 29 CFR 1602.30 - 32: 2 - 3 years after termination. 29 CFR 516.5 - 6: 3 years after action. 29 USC 1113: 6 years after date of last action. State of California Guidelines: 4 years after completion/closure for denied benefit plan enrollment, permanent for benefit plan claims.
06-03-08	Employee Benefits Information	Includes the benefits guide and plan documents given to employees for medical, dental, vision, flexible benefits, short & long term disability, life insurance, deferred compensation, employee assistance program and other benefit plans.	Personnel		S+4	GC 34090: 2 year minimum requirement. GC 12946: 4 years after submission or creation. 29 CFR 1627.3(b)(2) EEOC/ADEA requires 1 year after benefit plan termination. State of California Guidelines: 2 years after action.

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Series Code	Series Name	Description of Documents, As Needed	Office of Record	Special Attributes	Total Retention	Citations & Legal Basis ©
06-03-09	Employee Benefit Reports	Monthly insurance change lists, monthly insurance report, and monthly recaps. Reports used to verify providers are billing the City the correct amounts.	Personnel		AA+4	GC 34090: 2 year minimum requirement CCP 337: Statute of limitations, 4 years for action. State of California Guidelines: 4 years after audit. Administrative Decision: Maintain benefit reports to support Accounts Payable retention in Finance.
06-03-10	Benefit Plan Negotiations	Communications and information from the City's insurance broker regarding upcoming benefit renewals.	Personnel		CY+4	GC 34090: 2 year minimum requirement GC 12946: 4 years after submission or creation. 29 CFR 1627.3(b)(2) EEOC/ADEA requires 1 year after benefit plan termination. State of California Guidelines: 2 years after action.
06-03-11	Retiree Insurance	Ledgers/payment log and reimbursements. Finance maintains a record of the payments.	Personnel		AT+6	29 CFR 1627.3 - 4: 3 years after termination. 29 CFR 1602.30 - 32: 2 - 3 years after termination. 29 CFR 516.5 - 6: 3 years after action. 29 USC 1113: 6 years after date of last action. GC 12946: 4 years after termination or action. State of California Guidelines: 3 years after termination. Administrative Decision: Maintain retiree files for 6 years after termination of benefits.
06-03-12	Monthly Disability Payment Reports	Monthly report on disability payments to employees. Received from insurance provider.	Personnel		CY+6	GC 34090: 2 year minimum requirement 29 USC 436: 5 years. 26 CFR 31.6001: 4 years after tax return is filed. R&T 19530: 3 years after tax return is filed. R&T 19704: 6 year statute of limitations. 29 CFR 516.2-6: Maintain at least 3 years. State of California Guidelines: 4 years after audit.
06-03-13	Completed Employee Benefit Forms	Benefit election / enrollment forms (except CalPERS).	Personnel			GC 34090: 2 year minimum requirement GC 12946: 4 years after submission or creation. 29 CFR 1627.3(b)(2) EEOC/ADEA requires 1 year after benefit plan termination. State of California Guidelines: Permanent for benefit plan claims, 4 years after completion for denied benefit enrollments. Administrative Decision: Retention period is 6 years after termination of enrollment in benefit plan.
06-03-14	Beneficiary Forms	Life insurance and deferred compensation.	Personnel		S+4	GC 34090: 2 year minimum requirement GC 12946: 4 years after submission or creation. 29 CFR 1627.3(b)(2) EEOC/ADEA requires 1 year after benefit plan termination. State of California Guidelines: 2 years after action.
06-03-15	Benefit Plan Claims	Long term disability, limited term disability and life insurance claim forms and documentation.	Personnel		P	GC 34090: 2 year minimum requirement GC 12946: 4 years after submission or creation. 29 CFR 1627.3(b)(2) EEOC/ADEA requires 1 year after benefit plan termination. State of California Guidelines: Permanent for benefit plan claims.

06-00-00 PERSONNEL

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Series Code	Series Name	Description of Documents, As Needed	Office of Record	Special Attributes	Total Retention	Citations & Legal Basis ©
06-03-16	Direct Deposit Enrollment Forms	File by employee name.	Personnel		AT+4	GC 12946: 4 years after action taken. Administrative Decision. Maintain direct deposit forms for 4 years after the employee cancels the service or separates from the City.
06-03-17	Affordable Care Act Forms	1095 forms and quarterly reports used for completing forms in December for benefits received.	Personnel		CY+4	GC 12946: 4 years after submission or creation.
06-03-18	Employment Development Department Forms and Notices	Forms are completed upon EDD request, such as Benefit Audits for specified employees, and returned to the EDD. Originals kept in Personnel.	Personnel		CY+2	GC 34090: 2 year minimum requirement. State of California Guidelines: Maintain employee statistics and benefit activity reports for the current year plus 2 years.
06-03-19	Notices of Determination	EDD notices of determination on unemployment eligibility of former employees and related communications with EDD.	Personnel		AS+4	GC 12946: 4 years after completion. 29 CFR 1627.3 - 4; 3 years after termination. 29 CFR 1602.30 - 32; 2 - 3 years after termination. 29 CFR 516.5 - 6; 3 years after action. State of California Guidelines: 3 years after termination for unemployment claims.
06-03-20	California Civil Rights Department (formerly Department of Fair Employment & Housing)	Claims that are resolved administratively and do not become lawsuits.	Personnel		AC+4	GC 12946: 4 years after completion. GC 34090: 2 year minimum requirement. State of California Guidelines: Maintain employee statistics and benefit activity reports for the current year plus 2 years.
06-04-00	Labor Relations					
06-04-01	General Information & Administration	Includes general subject information, reports and reference documents relating to the record group, but not associated with a specific record series already in the group.	City-wide		AR	Administrative Record: Review annually for relevance to current subject matter or projects, inclusion in an associated record series, or creation of a new record series.
06-04-02	Union Representatives / Organizations	Includes correspondence and reviews with labor organizations. Does not include negotiation information.	Personnel		CY+2, AR	GC 34090: 2 year minimum requirement. Administrative Decision. Maintain correspondence and communications for the current year plus 2 years. Review annually for relevant content.
06-04-03	Labor Negotiations	Notes, correspondence, contracts, memoranda, agreements.	Personnel		P	29 USC 211c: Maintain, indefinite. 29 USC 203m: Definitions. 29 USC 207g: Definitions. State of California Guidelines: Permanent.
06-04-04	Memorandums of Understanding	Includes MOUs for all bargaining units and Unclassified Management Resolutions.	Personnel		P	29 USC 211c: Maintain, indefinite. 29 CFR 516.5(b): 3 years. State of California Guidelines: Recommend Permanent retention without relevant statutes or regulations cited.
06-04-05	Grievances	All grievances and related investigations and communications. Miscellaneous Employees: Public Safety Employees:	Personnel Personnel Personnel		AS+4 AS+4 AS+5	GC 12946: 4 years after completion. 29 CFR 1602.14: 1 year after action/change. 29 USC 211c: Maintain, indefinite. 29 USC 203m: Definitions. 29 USC 207g: Definitions. State of California Guidelines: 2 years after termination for general employees, 5 years after termination for safety employees.

06-00-00 PERSONNEL

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Series Code	Series Name	Description of Documents, As Needed	Office of Record	Special Attributes	Total Retention	Citations & Legal Basis ©
06-04-06	Interest Arbitrations Award	Awards and compensation given to persons based on settled complaints.	Personnel		P	29 USC 211c; Maintain, indefinite. 29 USC 203m; Definitions. 29 USC 207g; Definitions. State of California Guidelines; Permanent.
06-04-07	Appeals	Appeals based on grievances, disciplinary actions or other labor relations issues.	Personnel		AS+5	GC 12946; Until resolved. 29 CFR 1602.14; 1 year after action/change. State of California Guidelines; 2 years after termination for general employees, 5 years after termination for safety employees.
06-04-08	Layoffs	Documents tracking the classifications and employee termination information. Miscellaneous Employees: Public Safety Employees:	Personnel		AS+4 AS+5	GC 12946; 4 years after completion. 29 CFR 1602.14; 1 year after action/change. State of California Guidelines; 2 years after termination for general employees, 5 years after termination for safety employees for grievances. Administrative Decision; Maintain layoffs to match retention for grievances to support potential actions.
06-05-00	Personnel Committee					
06-05-01	General Information & Administration	Includes general subject information, reports and reference documents relating to the record group, but not associated with a specific record series already in the group.	City-wide		AR	Administrative Record; Review annually for relevance to current subject matter or projects, inclusion in an associated record series, or creation of a new record series.
06-05-02	Agendas		Personnel		CY+2	GC 34090; 2 year minimum requirement. State of California Guidelines; Maintain for the Current Year plus 2 years.
06-05-03	Minutes		Personnel	V, H	P	GC 34090(e); Minutes of governing bodies; Permanent. GC 36814; Maintain record of proceedings. GC 40801; Maintain record of proceedings. State of California Guidelines; Permanent.
06-06-00	Recruitments					
06-06-01	General Information & Administration	Includes general subject information, reports and reference documents relating to the record group, but not associated with a specific record series already in the group.	City-wide		AR	Administrative Record; Review annually for relevance to current subject matter or projects, inclusion in an associated record series, or creation of a new record series.
06-06-02	Recruitment Files	Includes job descriptions and flyers, applications, practical test and assessment centers, oral board, rejection letters and eligibility lists. Most documents managed in NEOGOV.	Personnel		AC+4	GC 12946; 4 years after completion/position filled. 29 CFR 1602.14; 1 year after position filled. 29 CFR 1627.3; 1 year after position filled. State of California Guidelines; 3 years after completion/position filled.
06-06-03	Background Check Files - Disqualified Candidates	Includes DOJ fingerprinting and other background checks for non-hired candidates. Provided by an outside service and retained electronically for maintenance.	Personnel	C	AC+2	GC 34090; 2 year minimum requirement. PC 832.5; 5 years for officer complaints. State of California Guidelines; 3 years after termination/separation for hired general employees, Permanent for hired Safety Personnel; 2 years after position closes for Safety Personnel not hired.

06-00-00 PERSONNEL

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06-07-00	Risk Management					
06-07-01	General Information & Administration	Includes general subject information, reports and reference documents relating to the record group, but not associated with a specific record series already in the group.	City-wide		AR	Administrative Record; Review annually for relevance to current subject matter or projects, inclusion in an associated record series, or creation of a new record series.
06-07-02	Correspondence & Reports	General information and correspondence with the California Insurance Pool Authority (CIPA) and the City's Third Party Administrator. Does not include liability loss reports.	Personnel		CY+2, AR	GC 34090: 2 year minimum requirement. State of California Guidelines; Administrative Record.
06-07-03	Claims Against the City	Filed by members of the public.	Clerk / Personnel		AC+6	GC 34090: 2 year minimum requirement. 29 USC 1113: 6 years after date of last action, or 3 years after plaintiff had knowledge of breach or violation, whichever comes first. State of California Guideline: 5 years after settlement or closure.
06-07-04	Recovery Claims	Claims made by the City for damage to City property by another person or entity. May include subrogation by insurance carriers.	Personnel		AC+6	GC 34090: 2 year minimum requirement. 29 USC 1113: 6 years after date of last action, or 3 years after plaintiff had knowledge of breach or violation, whichever comes first. State of California Guideline: 5 years after settlement or closure.
06-07-05	Incident Reports	Supervisor's Report of Accident or Injury/ Reports submitted by the associated department.	Personnel		AC+7	GC 34090: 2 year minimum requirement. 42 USC 1983: Definitions. 29 CFR 1904.2-7: OSHA recordkeeping. GC 25105.5: 5 years after closure/completion. 29 USC 1113: 6 years after date of last action, or 3 years after plaintiff had knowledge of breach or violation, whichever comes first. GC 910 - 913: 6 months to 1 year after event occurs. State of California Guideline: 7 years after settlement or closure.
06-07-06	Liability Loss Reports		Personnel		CY+5	GC 34090: 2 year minimum requirement. 29 CFR 1904.33: maintain OSHA reports for 5 years from the end of the calendar year they relate to. 8 CCR 10102: whichever is longer of the following: 5 years from date of injury; 1 year from date compensation was last provided; upon payment of all compensation due; when audit findings are final. State of California Guideline: 5 years after completed.
06-07-07	General City Insurance Policies	Includes facilities, auto and other general insurance policies.	Personnel		P	GC 34090: 2 year minimum requirement. State of California Guidelines; Permanent for liability and property insurance.
06-07-08	Use of City Facilities by Other Parties	Forms, waivers, and certificates of insurance related to City facility or property use by other agencies. Used for non-profit organizations. No fees charged for use.	Personnel		AC+4	CCP 337(2) & (3): Statutes of limitations of 4 years. CCP 343: Statutes of limitations of 4 years.

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06-07-09	Certificates of Liability Insurance	Not related to a project, grant or agreement.	Personnel		P	GC 34090: 2 year minimum requirement State of California Guidelines: Permanent for liability and property insurance.
06-07-10	Employee Fidelity Bonds	Records related to bonds required for City Clerk and City Treasurer by GC36518 and ORD 56-2.	Personnel		AS+2	GC 34090: 2 year minimum requirement. State of California Guidelines: 2 years after separation for personnel fidelity bonds.
06-08-00	Safety Committee					
06-08-01	General Information & Administration	Includes general subject information, reports and reference documents relating to the record group, but not associated with a specific record series already in the group.	Citywide		AR	Administrative Record: Review annually for relevance to current subject matter or projects, inclusion in an associated record series, or creation of a new record series.
06-08-02	Agenda Packets		Personnel		CY+2	GC 34090: 2 year minimum requirement State of California Guidelines: Maintain for the Current Year plus 2 years.
06-08-03	Minutes		Personnel	V, H	P	GC 34090(e): Minutes of governing bodies, Permanent. GC 36814: Maintain record of proceedings. GC 40801: Maintain record of proceedings. State of California Guidelines: Permanent.
06-08-04	Appointments	Listing for Terms of Office, posted member list, and appointment memos.	Personnel		P	GC 34090: 2 year minimum requirement. Administrative Record, State of California Guidelines. Administrative Decision: Maintain rosters permanently for historical tracking of appointments.
06-08-05	Communications	Communications to and among Committee Members regarding Committee business.	Personnel		CY+2	GC 34090: 2 year minimum requirement. State of California Guidelines: Administrative Record.
06-09-00	Safety & Training					
06-09-01	General Information & Administration	Includes general subject information, reports and reference documents relating to the record group, but not associated with a specific record series already in the group.	City-wide		AR	Administrative Record: Review annually for relevance to current subject matter or projects, inclusion in an associated record series, or creation of a new record series.
06-09-02	Injury & Illness Prevention Plan	Workers compensation procedures and general safety information. Includes Workplace Violence Prevention Plan information for employees.	Personnel		S+5	GC 34090: 2 year minimum requirement. 8 CCR 3204: 1 year for IIPP training records. State of California Guideline: 5 years after superseded or expired.
06-09-03	Employee Training Programs	Sign-in sheets, handouts and other program information for employee safety trainings.	Personnel		CY+7	GC 34090: 2 year minimum requirement. 29 CFR 1627.3(b): 1 year for training records. GC 12946: 4 years after termination. GC 7920.000: PRA, confidential record status. State of California Guidelines: Current year plus 7 years for non-safety training records. Current year plus 2 years for certificates and designations training.

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06-09-04	Random Drug Pulls - DOT	All filed physically by year completed. Records of inspection, maintenance, and calibration of Evidential Breath Testing devices. Records of negative and cancelled drug test results and alcohol test results with a concentration of less than 0.02.	Personnel Personnel Personnel	C C C	 CY+5 CY+1	49 CFR 40.333; 1 to 5 years depending upon document type. All documents must be maintained in a secured area.
06-09-05	DMV Pull Notice Program	Records of alcohol test results indicating an alcohol concentration of 0.02 or greater; records of verified positive drug test results; documentation of refusals to take required alcohol and/or drug tests (including substituted or adulterated drug test results); SAP reports; and all follow-up tests and schedules for follow-up tests. Alcohol and controlled substance collection process documents.	Personnel Personnel	C C	CY+5 CY+2	
06-09-06	Occupational Safety and Health Administration	Records for staff enrolled in program (those who are licensed to operate City equipment and can drive City vehicles for work). OSHA notices, communications, inspections, and citations, incident logs, and incident investigations. Includes WV/PP related records.	Personnel	C	S CY+5	VC 1808.1; must pull record at least every 12 months. GC 34090; 2 year minimum requirement. 29 CFR 1904.33; 5 years for OSHA reports. 8 CCR 14300.33; 5 years for OSHA 300 reports. 8 CCR 10102; 5 years from date of injury. State of California Guideline: 5 years after completed. Administrative Decision: Maintain OSHA communications, inspections and citations for the Current Year plus 5 years to match retention for OSHA reports.
06-10-00	Worker's Compensation					
06-10-01	General Information & Administration	Includes general subject information, reports and reference documents relating to the record group, but not associated with a specific record series already in the group.	City-wide		AR	Administrative Record: Review annually for relevance to current subject matter or projects, inclusion in an associated record series, or creation of a new record series.
06-10-02	Workers Compensation Claims	Includes doctors notes, copies of information and correspondence from the TPA on the employee claim.	Personnel	C	P	8 CCR 15400; Maintain reports. 8 CCR 15400.2; 5 years. 8 CCR 10102; 5 years. LC 129(a); 5 years for auditing. State of California Guidelines; Permanent for workers compensation working files (claim files, reports, incidents). Originals filed with third party administrator.
06-10-03	Subrogation	Subrogation records related to WC claims, administered by AdminSure.	Personnel		P	8 CCR 15400; Maintain reports. 8 CCR 15400.2; 5 years. 8 CCR 10102; 5 years. LC 129(a); 5 years for auditing. State of California Guidelines; Permanent for workers compensation working files (claim files, reports, incidents). Originals filed with third party administrator.

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06-10-04	Workers Compensation Loss Run Reports	Monthly reports from the TPA.	Personnel		CY+5	8 CCR 15400.2: Maintain reports. 8 CCR 15400.2: 5 years. 8 CCR 10102: 5 years. LC 129(a): 5 years for auditing. State of California Guidelines: State recommends Permanent retention, but no relevant statutes; Risk Management Reports (including Loss Analysis Reports) are 5 years after completion/closure.
06-10-05	OSHA logs	OSHA Logs 200, 300, 301, and 301(a).	Personnel		CY+5	GC 34090: 2 year minimum requirement. 29 CFR 1904.33: 5 years for OSHA reports. 8 CCR 14300.33: 5 years for OSHA 300 reports. 8 CCR 10102: 5 years from date of injury. State of California Guideline: 5 years after completed.

07-00-00 COMMUNITY DEVELOPMENT

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Series Code	Series Name	Description of Documents, As Needed	Office of Record	Special Attributes	Total Retention	Citations & Legal Basis ©
07-01-00	Community Development Administration					
07-01-01	General Information & Administration	Includes general subject information, reports and reference documents relating to the record group, but not associated with a specific record series already in the group.	City-wide		AR	Administrative Record: Review annually for relevance to current subject matter or projects, inclusion in an associated record series, or creation of a new record series.
07-01-02	GoGov	Building permit GIS identification system.	IT		ACT	Transitory Record: Maintain while active or until data is transferred to a new tracking system.
07-02-00	Current Planning					
07-02-01	General Information & Administration	Includes general subject information, reports and reference documents relating to the record group, but not associated with a specific record series already in the group.	City-wide		AR	Administrative Record: Review annually for relevance to current subject matter or projects, inclusion in an associated record series, or creation of a new record series.
07-02-02	Permits & Applications - Land Use & Real Property Related	Includes parcel and tract maps, development reviews and agreements, zoning map amendments, conditional use permits, precise plans of design, variances, use permits, zone changes, affidavits of acceptance and other real property related permits and applications.	Planning		P	GC 34090(a): Real property records, maintain permanently. GC 4003, 4004: Maintain costs, records and plans H&S 19850: Building plans - Life of Building, with exceptions. State of California Guidelines: Permanent.
07-02-03	Permits & Applications - Temporary Use	Includes banners and temporary signs, alcohol, pumpkin / tree lots and other temporary use permits.	Planning		AC+2	GC 34090: 2 years minimum. State of California Guidelines: Current year plus 2 years for Temporary Use Permits.
07-02-04	Zoning Verification Letters		Planning		CY+2	GC 34090: 2 year minimum requirement.
07-03-00	Advanced Planning					
07-03-01	General Information & Administration	Includes general subject information, reports and reference documents relating to the record group, but not associated with a specific record series already in the group.	City-wide		AR	Administrative Record: Review annually for relevance to current subject matter or projects, inclusion in an associated record series, or creation of a new record series.
07-03-02	General Plan & Amendments	Includes elements.	Planning		P	GC 34090(a): Real property records, maintain permanently. State of California Guidelines: Permanent.
07-03-03	Housing Element Annual Planning Report	State required report to be in compliance with the City's housing element.	Planning		P	GC 34090(a): Real property records, maintain permanently. State of California Guidelines: Permanent.
07-03-04	Specific Plans	Includes specific plans, reclamation plans, active transportation plans and other plans and associated amendments.	Planning		P	GC 34090(a): Real property records, maintain permanently. GC 4003, 4004: Maintain costs, records and plans H&S 19850: Building plans - Life of Building, with exceptions. State of California Guidelines: Permanent.
07-03-05	Zoning Code Amendments	Not covered by a specific plan or project related.	Planning		P	GC 34090(a): Real property records, maintain permanently. State of California Guidelines: Permanent.

07-00-00 COMMUNITY DEVELOPMENT

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Series Code	Series Name	Description of Documents, As Needed	Office of Record	Special Attributes	Total Retention	Citations & Legal Basis ©
07-04-00	Building & Safety					
07-04-01	General Information & Administration	Includes general subject information, reports and reference documents relating to the record group, but not associated with a specific record series already in the group.	City-wide		AR	Administrative Record; Review annually for relevance to current subject matter or projects, inclusion in an associated record series, or creation of a new record series.
07-04-02	Building Plan Reviews - Expired / Withdrawn	Includes plan checks for potential projects. 365 days from the submittal date.	Building		CY+2	GC 34090: 2 year minimum requirement.
07-04-03	Building Permits - Approved	Includes structural calculations, soils reports, land surveys, pad elevations, special inspection reports, Plan Check Comments / Responses, Request for Waiver for Accessibility Requirements, Inspection Reports, Deed Restrictions, notice of violations and other documents for building projects.	Building		P	H&S 19850: Building plans - Life of Building, with exceptions. CC 1351: definitions, community property. State of California Guidelines; Permanent including commercial plans.
07-04-04	Building Permits - Expired	Includes structural calculations, soils reports, land surveys, pad elevations, special inspection reports, Plan Check Comments / Responses, Request for Waiver for Accessibility Requirements, Inspection Reports, Deed Restrictions, notice of violations and other documents for expired building permits.	Building		AE+2	GC 34090: 2 year minimum requirement.
07-04-05	Certificates of Occupancy		Building		LOB	GC 34090(a): Real property records, maintain permanently. State of California Guidelines; Life of business.
07-05-00	Code Enforcement Records					
07-05-01	General Information & Administration	Includes general subject information, reports and reference documents relating to the record group, but not associated with a specific record series already in the group.	City-wide		AR	Administrative Record; Review annually for relevance to current subject matter or projects, inclusion in an associated record series, or creation of a new record series.
07-05-02	Code Violations	Includes notices to abate, public nuisance letters, citations, notices of correction, liens, administrative appeals and other code enforcement information.	Code Enf.		AC+2	GC 34090: 2 year minimum requirement. State of California Guidelines; 2 years after correction/completion.
07-05-03	Administrative Citations	Fine related violations that can go to liens if not corrected.	Code Enf.		AC+2	GC 34090: 2 year minimum requirement. State of California Guidelines; 2 years after correction/completion.
07-06-00	Fire Services					
07-06-01	General Information & Administration	Includes general subject information, reports and reference documents relating to the record group, but not associated with a specific record series already in the group.	City-wide		AR	Administrative Record; Review annually for relevance to current subject matter or projects, inclusion in an associated record series, or creation of a new record series.
07-06-02	Weed Abatement	Includes notices to abate, citations, notices of correction, administrative appeals and weed abatement case information.	Code Enf.		AC+2	GC 34090: 2 year minimum requirement. State of California Guidelines; 2 years after correction/completion.
07-06-03	Fire Permits	Includes Christmas tree lots, firework shows, temporary tents and other temporary use permits related for Fire. May include plans for seating, tents and other event materials.	CD		AC+2	GC 34090: 2 year minimum requirement. State of California Guidelines; Current Year plus 2 years for maintenance projects, and for temporary use permits.

07-00-00 COMMUNITY DEVELOPMENT

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Series Code	Series Name	Description of Documents, As Needed	Office of Record	Special Attributes	Total Retention	Citations & Legal Basis ©
07-06-04	Plan Reviews	Includes plan checks for new construction or improvements to fire-related systems, such as sprinklers, fire alarms, underground sprinkler work, etc. Fire Prevention maintains the plans after approval. Permit issued on approval, which is good for 1 year. Renewed only if construction is not completed. Continuing business is then handled under Business License Inspections. Located in the Individual Street Files.	CD / Planning		AE+5	IFC 104.6: Retain for 5 years after renewal/expiration of fire permit. State of California Guidelines: 3 years after completion of inspection.
07-06-05	Property Inspections		Building / Code Enf.		AC+5	IFC 104.6: Retain for 5 years after renewal/expiration of fire permit. State of California Guidelines: 3 years after completion of inspection.
07-06-06	Annual Inspections	Includes inspection documents for schools, hotels & motels, multi-family, apartments, vegetation / brush inspections and other types of business as required by law and/or fire code.	Building / Code Enf.		AC+5	IFC 104.6: Retain for 5 years after renewal/expiration of fire permit. State of California Guidelines: 3 years after completion of inspection.
07-07-00	CDBG & Homeless Services					
07-07-01	General Information & Administration	Includes general subject information, reports and reference documents relating to the record group, but not associated with a specific record series already in the group.	City-wide		AR	Administrative Record: Review annually for relevance to current subject matter or projects, inclusion in an associated record series, or creation of a new record series.
07-07-02	Construction Projects	Grant program. Construction projects funded by CDBG grants.	CD		AFP+5	29 CFR 97.36(i)(1): 3 years after final payment. 29 CFR 97.42(b): 3 years after final payment. 24 CFR 570.502(a)(7)(i)(a): Deeds/CDBG activities, 4 years after closure of loan. State of California Guidelines: 4 years after grant closure. San Bernardino County: 5 years after final reporting per the Delegate Agency Agreement.
07-07-03	Public Benefit Projects	Grants and senior transportation funded by CDBG grants.	CD		AFP+5	29 CFR 97.36(i)(1): 3 years after final payment. 29 CFR 97.42(b): 3 years after final payment. 24 CFR 570.502(a)(7)(i)(a): Deeds/CDBG activities, 4 years after closure of loan. State of California Guidelines: 4 years after grant closure. San Bernardino County: 5 years after final reporting per the Delegate Agency Agreement.
07-07-04	Homeless Outreach & Contact Sheets	Information entered into the County's database. Includes personal information and signatures.	Code Enf.	C	CY+2	GC 34090: 2 year minimum requirement.

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07-07-05	CDBG Annual Fund Reports	County required report.	CD		AFP+5	29 CFR 97.36(f)(1); 3 years after final payment. 29 CFR 97.42(b); 3 years after final payment. 24 CFR 570.502(a)(7)(i)(a); Deeds/CDBG activities, 4 years after closure of loan. State of California Guidelines: 4 years after grant closure. San Bernardino County: 5 years after final reporting per the Delegate Agency Agreement.
07-08-00	Planning Commission					
07-08-01	General Information & Administration	Includes general subject information, reports and reference documents relating to the record group, but not associated with a specific record series already in the group.	City-wide		AR	Administrative Record: Review annually for relevance to current subject matter or projects, inclusion in an associated record series, or creation of a new record series.
07-08-02	Agendas & Agenda Packets		CD		CY+2	GC 34090: 2 year minimum requirement State of California Guidelines: Maintain for the Current Year plus 2 years.
07-08-03	Minutes		CD	V, H	P	GC 34090(e): Minutes of governing bodies, Permanent. GC 36814: Maintain record of proceedings. GC 40801: Maintain record of proceedings. State of California Guidelines: Permanent.
07-08-04	Resolutions		CD	V, H	P	GC 34090(e): Permanent for decisions of the City. GC 40801: Maintain record of proceedings. State of California Guidelines: Permanent.
07-08-05	Meeting Audio/Video Recordings		CD		30 Days	GC 54953.5: 30 days after recording. Administrative Decision: 30 days after minutes of recorded meeting are approved.
07-08-06	Administrative Appeals		CD		P	GC 34090(e): Real property records, maintain permanently. GC 4003, 4004: Maintain costs, records and plans H&S 19850: Building plans - Life of Building, with exceptions. State of California Guidelines: Permanent.

08-00-00 PUBLIC WORKS ENGINEERING

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Series Code	Series Name	Description of Documents, As Needed	Office of Record	Special Attributes	Total Retention	Citations & Legal Basis ©
08-01-00	Engineering Administration					
08-01-01	General Information & Administration	Includes general subject information, reports and reference documents relating to the record group, but not associated with a specific record series already in the group.	City-wide		AR	Administrative Record; Review annually for relevance to current subject matter or projects, inclusion in an associated record series, or creation of a new record series.
08-01-02	Master Plans	Storm drains, parks and recreation, sewers, active transportation plans and other master plans.	PW Eng.		S+2	GC 34090: 2 year minimum requirement. State of California Guidelines; 2 years after master plan is superseded.
08-01-03	Geotechnical & Soils Reports		PW Eng.		P	GC 34090(a); Permanent for land related documents State of California Guidelines; Permanent for soils reports.
08-01-04	Infrastructure Maps	Maps for storm drains, lighting, sewers, utilities and other infrastructure maps. Includes digital copies of as-built maps.	PW Eng.		P	GC 34090(a); Real property records, maintain permanently. GC 4003, 4004; Maintain. H&S 19850; Building Plans - Life of Building, with exceptions. CCP 337, 15; 10 years. State of California Guidelines; Permanent.
08-01-05	Encroachment Permits	Includes CIP encroachments, street improvements, street cuts for wet/dry utilities, street lane closures and other construction related projects.	PW Eng.		P	GC 34090(a) Real property records, maintain permanently. GC 4003, 4004; Maintain. H&S 19850; Life of Building, with exceptions. State of California Guidelines; Permanent for construction based encroachment permits.
08-01-06	Transportation Permits	Temporary use permit for access of oversized vehicles.	PW Eng.		AC+2	GC 34090: 2 year minimum requirement. State of California Guidelines; Current Year plus 2 years for temporary use permits.
08-02-00	Engineering Projects					
08-02-01	General Information & Administration	Includes general subject information, reports and reference documents relating to the record group, but not associated with a specific record series already in the group.	City-wide		AR	Administrative Record; Review annually for relevance to current subject matter or projects, inclusion in an associated record series, or creation of a new record series.
08-02-02	Administrative	Includes Council approval, legal issues, project budget, project schedule, special issues and supporting documentation.	PW Eng.		AC+2	GC 34090: 2 year minimum requirement. Administrative Record, State of California Guidelines Administrative Decision; Maintain for administrative records for 2 years after the project is completed to support the project tasks.
08-02-03	Correspondence	Includes agencies, construction, design and internal correspondence.	PW Eng.		AC+2	GC 34090: 2 year minimum requirement. Administrative Record, State of California Guidelines Administrative Decision; Maintain for administrative records for 2 years after the project is completed to support the project tasks.

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08-02-04	Contracts	Includes change orders, contracts, utility reimbursements, design construction and supporting documentation.	PW Eng.		P	GC 34090(a); Permanent for real property related documents. GC 4003, 4004, Maintain. CCP 337.15; 10 years. State of California Guidelines; Permanent for capital improvements.
08-02-05	Preliminary Design	Includes environmental and geotechnical reports, right-of-way, land acquisition, topography and boundary maps and supporting documentation.	PW Eng.		AC+10	CCP 337.15; 10 years State of California Guidelines; 10 years after completion for capital improvement projects.
08-02-06	Design	Includes architectural prints, consultant selection, permits, requests for proposals, specifications, design submittals and supporting documentation.	PW Eng.		P	GC 34090(a); Permanent for real property related documents. GC 4003, 4004, Maintain. CCP 337.15; 10 years. State of California Guidelines; Permanent for capital improvements.
08-02-07	Bidding & Award	Includes bid award, bid addenda, contractor bids, pre-bid meetings and supporting documentation.	PW Eng.		P	GC 34090(a); Permanent for real property related documents. GC 4003, 4004, Maintain. CCP 337.15; 10 years. State of California Guidelines; Permanent for capital improvements.
08-02-08	Construction Testing & Inspection	Includes field observation notes, materials testing, special inspection testing and supporting documentation.	PW Eng.		AC+10	CCP 337.15; 10 years. State of California Guidelines; 10 years after completion for capital improvement projects.
08-02-09	Construction Labor Compliance	Includes certified payroll, daily diaries, equal employment opportunity records, labor compliance, employee interviews, progress payments, weekly record of working days and supporting documentation.	PW Eng.		AC+10	CCP 337.15; 10 years. State of California Guidelines; 10 years after completion for capital improvement projects.
08-02-10	Construction Progress Documentation	Includes extra work reports, photos, preliminary stop work notices, requests for information, stop work notices, submittals and supporting documentation.	PW Eng.		AC+10	CCP 337.15; 10 years. State of California Guidelines; 10 years after completion for capital improvement projects.
08-02-11	Construction Close-out	Includes acceptances, notices of completion, as-built / record drawings, punch lists, warranty, final reports and supporting documentation.	PW Eng.		AC+10	CCP 337.15; 10 years. State of California Guidelines; 10 years after completion for capital improvement projects.
08-02-12	Environmental	Includes operations and maintenance manuals, stormwater pollution prevention plans and supporting documentation.	PW Eng.		P	GC 34090(a); Permanent for real property related documents. GC 4003, 4004, Maintain. CCP 337.15; 10 years. State of California Guidelines; Permanent for capital improvements.
08-02-13	Right of Way				P	GC 34090(a); Permanent for land and property related documents. 24 CFR 17.10; Permanent.

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08-03-00	Development Engineering					
08-03-01	General Information & Administration	Includes general subject information, reports and reference documents relating to the record group, but not associated with a specific record series already in the group.	City-wide		AR	Administrative Record: Review annually for relevance to current subject matter or projects, inclusion in an associated record series, or creation of a new record series.
08-03-02	Subdivisions		PW Eng.		P	GC 34090(a): Real property records, maintain permanently. GC 4003, 4004; Maintain. H&S 19850: Building Plans - Life of Building, with exceptions. CCP 337.15; 10 years. State of California Guidelines: Permanent.
08-03-03	Tract Maps	Includes map changes.	PW Eng.		P	GC 34090(a): Real property records, maintain permanently. GC 4003, 4004; Maintain. H&S 19850: Building Plans - Life of Building, with exceptions. CCP 337.15; 10 years. State of California Guidelines: Permanent.
08-03-04	Parcel Maps	Includes map changes.	PW Eng.		P	GC 34090(a): Real property records, maintain permanently. GC 4003, 4004; Maintain. H&S 19850: Building Plans - Life of Building, with exceptions. CCP 337.15; 10 years. State of California Guidelines: Permanent.
08-03-05	Lot Line Adjustments / Mergers		PW Eng.		P	GC 34090(a): Real property records, maintain permanently. GC 4003, 4004; Maintain. H&S 19850: Building Plans - Life of Building, with exceptions. CCP 337.15; 10 years. State of California Guidelines: Permanent.
08-03-06	Grading Permits		PW Eng.		P	GC 34090(a): Real property records, maintain permanently. CCP337.337.1(a), 337.15; Statutes of limitations. GC 4003, 4004; Maintain. State of California Guidelines: Permanent.
08-03-07	Easements & Dedications		PW Eng.		P	GC 34090(a): Permanent for land and property related documents. 24 CFR 1710; Permanent.
08-03-08	Vacations & Abandonments		PW Eng.		P	GC 34090(a): Permanent for land and property related documents. 24 CFR 1710; Permanent.
08-03-09	Record of Surveys Maps		PW Eng.		P	GC 34090(a): Permanent for land and property related documents. State of California Guidelines: Permanent for survey recording data and maps.

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08-03-10	Plan Checks	Duplicates for Engineering review.	PW Eng.		CY+2	GC 34090: 2 year minimum requirement.
08-04-00	Streets Engineering					
08-04-01	General Information & Administration	Includes general subject information, reports and reference documents relating to the record group, but not associated with a specific record series already in the group.	City-wide		AR	Administrative Record: Review annually for relevance to current subject matter or projects. Inclusion in an associated record series, or creation of a new record series.
08-04-02	Street Naming		PW Eng.		P	GC 34090(a): Permanent for land and property related documents. State of California Guidelines: Permanent for naming and numbering policies and procedures.
08-04-03	Pavement Management System	Includes repairs, overlay projects and pavement management reports from the County.	PW Eng.		S+2	GC 34090: 2 year minimum requirement. State of California Guidelines: 2 years after completion for maintenance projects.
08-04-04	Street Lights & Equipment	Limited lights owned by the City. Most street lights owned and managed by Southern California Edison.	PW Eng.		LOS+2	GC 34090: 2 year minimum requirement. CCP 337: 3 year statute of limitations. State of California Guidelines: Life of system plus 2 years.
08-04-05	Signage & Striping		PW Eng.		P	GC 34090(a): Permanent for land and property related documents. State of California Guidelines: Permanent for signs and striping.
08-04-06	Sidewalks, Curbs & Gutters		PW Eng.		P	GC 34090(a): Permanent for land and property related documents. State of California Guidelines: Permanent for sidewalks and street maps.
08-04-07	Alleyways		PW Eng.		P	GC 34090(a): Permanent for land and property related documents. State of California Guidelines: Permanent for signs and striping.
08-04-08	Monumentation	Includes street ties, centerline ties and benchmarking.	PW Eng.		P	GC 34090(a): Permanent for land and property related documents. State of California Guidelines: Permanent for City boundary maps, including monuments.
08-05-00	Traffic Engineering					
08-05-01	General Information & Administration	Includes general subject information, reports and reference documents relating to the record group, but not associated with a specific record series already in the group.	City-wide		AR	Administrative Record: Review annually for relevance to current subject matter or projects. Inclusion in an associated record series, or creation of a new record series.
08-05-02	Traffic Calming	Speed humps, bump outs and other calming system design.	PW Eng.		LOS+3	CCP 337: 3 year statute of limitations. State of California Guidelines: Life of system plus 2 years.
08-05-03	Traffic Requests & Management	Includes requests for traffic calming, red/blue curb marking, speed humps and other neighborhood systems.	PW Eng.		AC+2	GC 34090: 2 year minimum requirement. Administrative Decision: Maintain traffic change requests for 2 years after the request is accommodated or denied.

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08-05-04	Traffic Studies & Surveys		PW Eng.		AC+2	GC 34090: 2 year minimum requirement State of California Guidelines: Completion of survey plus 2 years.
08-05-05	Traffic Signals	Includes files on equipment, timing sheets, systems and maintenance.	PW Eng.		LOS+3	CCP 337: 3 year statute of limitations. State of California Guidelines: Life of system plus 2 years.
08-05-06	Parking Systems	Includes restricted parking, residential permit parking, parking districts, garages and other systems. Permits are maintained in a binder and are valid for 5 years.	PW Eng.		AE+2	GC 34090: 2 years minimum. State of California Guidelines: Current year plus 2 years for Temporary Use Permits.
08-06-00	Bridges					
08-06-01	General Information & Administration	Includes general subject information, reports and reference documents relating to the record group, but not associated with a specific record series already in the group.	City-wide		AR	Administrative Record: Review annually for relevance to current subject matter or projects. Inclusion in an associated record series, or creation of a new record series.
08-06-02	Bridge Maintenance Program		PW Eng.		LOS+2	GC 34090: 2 year minimum requirement. State of California Guidelines: Maintain bridge reports and inspections for the life of the structure.
08-06-03	Inspections & Reports		PW Eng.		LOS+2	GC 34090: 2 year minimum requirement. State of California Guidelines: Maintain bridge reports and inspections for the life of the structure.
08-07-00	Storm Drainage & NPDES					
08-07-01	General Information & Administration	Includes general subject information, reports and reference documents relating to the record group, but not associated with a specific record series already in the group.	City-wide		AR	Administrative Record: Review annually for relevance to current subject matter or projects. Inclusion in an associated record series, or creation of a new record series.
08-07-02	NPDES Permit Annual Report	Includes finalized, submitted yearly reports to the State Water Resources Board.	PW Eng.		CY+3	40 CFR 122.41: 5 years after completion for sewage sludge use & disposal, 3 years after completion for other discharge records, including calibration records NPDES Permit No. CA0038776 IV, Standard Provisions, Records, 3 years from date of sample.
08-07-03	Stormwater Pollution Prevention Plan		PW Eng.		P	GC 34090: 2 year minimum requirement. State of California Guidelines: Current year plus 2 years, with caveat recommendation of permanent for environmentally sensitive documents.
08-07-04	WQMP Management	Includes maintenance agreements for maintenance of best management practices. Required for the Regional Water Quality Control Board.	PW Eng.		P	GC 34090(a), Real property records, maintain permanently. CCP 337(2) & (3): Statutes of limitations of 4 years. 48 CFR 4.703: 3 years after final payment. 48 CFR 4.705-1: 4 years after completion for accounting, payroll, purchasing records, et. al. 29 USC 211c: Maintain, indefinite. State of California Guidelines: Permanent.

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08-07-05	Stormwater Outfall Testing	Samples submitted to contract lab for baseline comparisons.	PW Eng.		CY+3	40 CFR 122.41; 5 years after completion for sludge use & disposal, 3 years after completion for other discharge records, including calibration records, 40 CFR 503; 3 years for significant leaks or spills NPDES Permit No. CA0038776 IV, Standard Provisions, Records; 3 years from date of sample.
08-07-06	Inspections	Includes post-construction inspections for commercial and industrial.	PW Eng.		AC+2	GC 34090; 2 year minimum requirement State of California Guidelines; 2 years after completion for maintenance projects.
08-07-07	Hazardous Spills	Includes contained fluid and other hazardous material spills.	PW Eng.		CY+10	40 CFR 503; 3 years for significant leaks or spills. State of California Guidelines; Maintain hazardous waste disposal records for the current year plus 10 years.
08-07-08	Illicit Discharge Incidents		PW Eng.		AC+5	40 CFR 122.21; 3 years after approval. 40 CFR 122.41; 3 years after report. State of California Guidelines; Current year plus 5 years for discharge monitoring reports. Administrative Decision; Maintain incidents for 5 years after correction or resolve.
08-07-09	Trash Reduction Plan	Compliance report. Maintenance monitoring and inspection of devices in storm drain inlets.	PW Eng.		AC+3	22 CCR 66262.40; 3 years for generator reports.
08-07-10	Reduction Program Reports	Includes NPDES reports to the County for street sweeping, trash hotspot cleanups, on land trash cleanup and other reduction programs. Submitted electronically.	PW Eng.		AC+3	22 CCR 66262.40; 3 years for generator reports.
08-07-11	Outreach	Includes brochures and materials handed out to contractors.	PW Eng.		S+2	GC 34090; 2 year minimum requirement State of California Guidelines; 2 years after program materials are superseded.
08-08-00	Sewer & Wastewater					
08-08-01	General Information & Administration	Includes general subject information, reports and reference documents relating to the record group, but not associated with a specific record series already in the group.	City-wide		AR	Administrative Record; Review annually for relevance to current subject matter or projects, inclusion in an associated record series, or creation of a new record series.
08-08-02	Recycled Water System	Includes service agreements, pipelines and supply data.	PW Eng.		P	GC 34090(a), Real property records, maintain permanently. CCP 337(2) & (3); Statutes of limitations of 4 years. 48 CFR 4.703; 3 years after final payment. 48 CFR 4.705-1; 4 years after completion for accounting, payroll, purchasing records, et. al. H&S 19850; Life of Building, with exceptions. 29 USC 211c; Maintain, Indefinite. State of California Guidelines; Permanent.
08-08-03	IEUA	Inland Empire Utilities Agency. Includes communications and general information with the agency.	PW Eng.		CY+2, AR	GC 34090; 2 year minimum requirement. Administrative Record, State of California Guidelines.

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08-09-00	Utilities					
08-09-01	General Information & Administration	Includes general subject information, reports and reference documents relating to the record group, but not associated with a specific record series already in the group.	City-wide		AR	Administrative Record. Review annually for relevance to current subject matter or projects. Inclusion in an associated record series, or creation of a new record series.
08-09-02	Telecommunications	Includes communications and general information with telecommunications and internet providers.	PW Eng.		CY+2, AR	GC 34090: 2 year minimum requirement. Administrative Record, State of California Guidelines.
08-09-03	Electrical Service	Includes communications and general information with Edison and other generators.	PW Eng.		CY+2, AR	GC 34090: 2 year minimum requirement. Administrative Record, State of California Guidelines.
08-09-04	Gas Service	Includes communications and general information with SoCal Gas and other providers.	PW Eng.		CY+2, AR	GC 34090: 2 year minimum requirement. Administrative Record, State of California Guidelines.
08-09-05	Water Service	Includes communications and general information with MWWD, MWD, Golden State Water Company and other water agencies and companies.	PW Eng.		CY+2, AR	GC 34090: 2 year minimum requirement. Administrative Record, State of California Guidelines.

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Series Code	Series Name	Description of Documents, As Needed	Office of Record	Special Attributes	Total Retention	Citations & Legal Basis ©
09-01-00	Administration					
09-01-01	General Information & Administration	Includes general subject information, reports, Montclair map, and reference documents relating to the record group, but not associated with a specific record series already in the group.	City-wide		AR	Administrative Record: Review annually for relevance to current subject matter or projects, inclusion in an associated record series, or creation of a new record series.
09-01-02	Work Orders	Orders received via email, verbal, phone and other means.	PW M&O		AC+2	GC 34090: 2 year minimum requirement. State of California Guidelines: 2 years plus the current year for maintenance and operations.
09-01-03	Key Distribution Database		PW M&O		ACT	Transitory Record: Maintain while active or until data is transferred to a new tracking system.
09-01-04	Safety Training Program	Includes sign-in sheets, attendance rosters, and training materials for safety training classes and events.	PW M&O		CY+7	GC 34090: 2 year minimum requirement. 29 CFR 1627.3(b): 1 year for training records GC 12946: 2 years after termination. GC 7920.000: PRA, confidential record status. State of California Guidelines: Current year plus 7 years for non-safety training records. Current year plus 2 years for certificates and designations training.
09-01-05	Air Quality Management District (AQMD)					
		Includes Annual Operating Permit Fee, Test of Vapor Recovery Equipment, Emission Fee Notice, South Coast Air Quality Management District.	PW M&O		AC+7	CCP338(k): 6 year statute of limitations for air quality records. State of California Guidelines: Current year plus 7 years for AQMD records.
09-01-06	Mathesin Oil Company					
		Correspondence and communications with the company.	PW M&O		CY+2, AR	GC 34090: 2 year minimum requirement. Administrative Record, State of California Guidelines.
09-01-07	San Bernardino County Forms					
		Includes CUPA permits, Air Resources Board, Business Emergency/Contingency Plan Receipt, Dept. of Resources recycling and recovery, and Proof of Designation.	PW M&O		CY+5	H&S 25200.3: Generator must maintain records for 5 years onsite. H&S 25123.3: Generator must maintain records for remediation waste staging. H&S 25160: 3 years for receipts from transporters to generators. 27 CCR 15185(c): 5 years for hazardous waste enforcement documents.
09-01-08	Maintenance & Service Agreements					
		Includes Tree Service, Clean Energy, Ideal Uniform Rental Service, Burttec Services, Ayres Self Storage Rental and other maintenance and service agreements.	PW M&O		AC+4	CCP 337(2) & (3): Statutes of limitations of 4 years. 48 CFR 4.703: 3 years after final payment. 48 CFR 4.705-1: 4 years after completion for accounting, payroll, purchasing records, et. al.
09-01-09	Emergency Plans					
		Includes Emergency Management Plan I - III, Emergency Preparedness, Corporate Yard Business Emergency Plan 2017.	PW M&O		S+2	GC 34090: 2 year minimum requirement. State of California Guidelines: 2 years after superseded for emergency management and mutual aid strategic plans.
09-01-10	Hazardous Waste Manifests					
		Includes waste tire, oil, batteries, light bulbs and other hazardous waste disposal manifests.	PW M&O		CY+10	GC 34090: 2 year minimum requirement. 40 CFR 122.21: 3 to 5 years. State of California Guidelines: Current year plus 10 years for hazardous waste disposal documents.
09-01-11	Dept. of Toxic Substances EVQ Report					
		Annual reporting with a manifest for hazardous waste pickup.	PW M&O		CY+10	GC 34090: 2 year minimum requirement. 40 CFR 122.21: 3 to 5 years. State of California Guidelines: Current year plus 10 years for hazardous waste disposal documents.

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09-01-12	Monthly Maintenance Reports		PW M&O		CY+2	GC 34090: 2 year minimum requirement State of California Guidelines: 2 years for management reports.
09-02-00	Facilities Maintenance					
09-02-01	General Information & Administration	Includes general subject information, reports and reference documents relating to the record group, but not associated with a specific record series already in the group.	City-wide		AR	Administrative Record: Review annually for relevance to current subject matter or projects, inclusion in an associated record series, or creation of a new record series.
09-02-02	Maintenance Service & Projects	Includes generator, HVAC and other maintenance activities.	PW M&O		AC+2	GC 34090: 2 year minimum requirement State of California Guidelines: 2 years plus the current year for maintenance and operations.
09-02-03	Facility Permits	Includes elevators, health and other facility permits.	PW M&O		AE+2	GC 34090: 2 year minimum requirement State of California Guidelines: Current year plus 2 years for municipal facility rental / use permits.
09-02-04	Inspections	AQMD, health department and other external inspections.	PW M&O		AC+2	GC 34090: 2 year minimum requirement State of California Guidelines: 2 years plus the current year for maintenance projects.
09-03-00	Street Maintenance					
09-03-01	General Information & Administration	Includes general subject information, reports and reference documents relating to the record group, but not associated with a specific record series already in the group.	City-wide		AR	Administrative Record: Review annually for relevance to current subject matter or projects, inclusion in an associated record series, or creation of a new record series.
09-03-02	Pavement Management System	Includes repairs, concrete maintenance, crack ceiling, pavement marker program, and overlay projects.	PW M&O		S+2	GC 34090: 2 year minimum requirement State of California Guidelines: 2 years after completion for maintenance projects.
09-03-03	Signage	Includes log books, index register cards, inventory lists, records of traffic signs, parking restrictions and traffic control.	PW M&O		LOS+3	CCP 337: 3 year statute of limitations. State of California Guidelines: Life of system plus 2 years.
09-03-04	Pavement Markings	Includes striping, stenciling, curb painting, cross walk locations, and other pavement marking maintenance and repair projects.	PW M&O		AC+2	GC 34090: 2 year minimum requirement State of California Guidelines: 2 years plus the current year for maintenance and operations.
09-03-05	Landscape Maintenance	Maintenance projects completed for medians and debris and weed abatement	PW M&O		AC+2	GC 34090: 2 year minimum requirement State of California Guidelines: 2 years plus the current year for maintenance and operations.
09-03-06	Street Sweeping Notice Distribution		PW M&O		CY+2	GC 34090: 2 year minimum requirement State of California Guidelines: 2 years plus the current year for maintenance and operations.
09-03-07	Concrete Tickets	Tickets received by the concrete provider for internal tracking. Includes arrival site, order quantities and concrete mix used, batch information and weighmaster signature.	PW M&O		CY+2	GC 34090: 2 year minimum requirement State of California Guidelines: 2 years plus the current year for maintenance and operations.

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09-04-00	Park Maintenance					
09-04-01	General Information & Administration	Includes general subject information, reports and reference documents relating to the record group, but not associated with a specific record series already in the group.	City-wide		AR	Administrative Record. Review annually for relevance to current subject matter or projects. Inclusion in an associated record series, or creation of a new record series.
09-04-02	Park Maintenance Projects and Locations	Includes fertilizer application, repairs, and maintenance for all park locations.	PW M&O		AC+2	GC 34090: 2 year minimum requirement. State of California Guidelines: 2 years plus the current year for maintenance and operations.
09-04-03	Playground & Park Equipment Inspections		PW M&O		AC+3	CCP 338: 3 years for action. State of California Guidelines: Completion plus 2 years for inspection records in Parks, and 2 years after audit for equipment inventories.
09-05-00	Fleet Management					
09-05-01	General Information & Administration	Includes general subject information, reports and reference documents relating to the record group, but not associated with a specific record series already in the group.	City-wide		AR	Administrative Record. Review annually for relevance to current subject matter or projects, inclusion in an associated record series, or creation of a new record series.
09-05-02	Vehicle & Equipment Specifications & Maintenance Records	Paper history of equipment and vehicles. Includes maintenance and other specific vehicle and equipment related information.	PW M&O		LOV+4	GC 34090: 2 year minimum requirement. CCP 343: 4 years for action. State of California Guidelines state life of the vehicle plus 2 years for fuel, maintenance and repair records of vehicles. State does not reference any citations.
09-05-03	Daily Vehicle Inspection Forms		PW M&O		CY+2	GC 34090: 2 year minimum requirement. State of California Guidelines: 2 years plus the current year.
09-05-04	CNG Inspections		PW M&O		CY+2	GC 34090: 2 year minimum requirement. State of California Guidelines: 2 years plus the current year for maintenance and operations.
09-05-05	Biennial Inspection of Terminals (BIT) Records	Inspection of vehicles by the DOT.	PW M&O		CY+2	GC 34090: 2 year minimum requirement. VC 3450.12: maintain inspection reports for at least 2 years. 25 month inspection period.
09-05-06	Smog Certifications / Inspections	Combined with California Air Resources Board.	PW M&O		CY+2	GC 34090: 2 year minimum requirement. State of California Guidelines: 2 years plus the current year for permits; may depend upon the agency.
09-05-07	Fuel Reports	Includes quarterly diesel fuel, weekly fuel consumption and other fuel usage reports.	PW M&O		AA+4	GC 34090: 2 year minimum requirement. CCP 337: Statutes of limitations of 4 years. State of California Guidelines: 3 years after audit.
09-05-08	Fuel Pump Maintenance & Inspections	Includes monthly fuel storage inspections of generators, piping and the fuel island, and maintenance on the system.			AA+4	GC 34090: 2 year minimum requirement. CCP 337: Statutes of limitations of 4 years. State of California Guidelines: 3 years after audit.
09-05-10	Aerial Inspections	Includes inspection for cranes, buckets, etc.	PW M&O		CY+2	GC 34090: 2 year minimum requirement. State of California Guidelines: 2 years plus the current year for maintenance and operations.

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09-05-11	Underground Storage Tanks & Return	Obsolete system no longer in use. All tanks are above ground.	PW M&O		CY+2	GC 34090: 2 year minimum requirement State of California Guidelines: 2 years plus the current year for underground storage tank locations, installation, removal and remediation.

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09-06-00	Irrigation Maintenance					
09-06-01	General Information & Administration	Includes general subject information, reports and reference documents relating to the record group, but not associated with a specific record series already in the group.	City-wide		AR	Administrative Record; Review annually for relevance to current subject matter or projects, inclusion in an associated record series, or creation of a new record series.
09-06-02	Backflow Testing	Annual maintenance on backflow devices on City property.	PW M&O		AC+2	GC 34090: 2 year minimum requirement State of California Guidelines; 2 years plus the current year for maintenance projects.
09-07-00	Sewer & Storm Drain Maintenance					
09-07-01	General Information & Administration	Includes general subject information, reports and reference documents relating to the record group, but not associated with a specific record series already in the group.	City-wide		AR	Administrative Record; Review annually for relevance to current subject matter or projects, inclusion in an associated record series, or creation of a new record series.
09-07-02	Permits	Includes sewer confined space entry permits.	PW M&O		AE+2	GC 34090: 2 year minimum requirement State of California Guidelines; Current year plus 2 years for municipal facility rental / use permits.
09-07-03	Inspections	Includes push camera, catch basin, sewer grease interceptors and other system inspections.	PW M&O		AC+2	GC 34090: 2 year minimum requirement State of California Guidelines; 2 years plus the current year for maintenance and operations.
09-07-04	Hot Spot	Includes sewer hotspot maintenance program.	PW M&O		AC+2	GC 34090: 2 year minimum requirement State of California Guidelines; 2 years plus the current year for maintenance and operations.
09-07-05	Traffic Counters		PW M&O		AC+2	GC 34090: 2 year minimum requirement State of California Guidelines; Completion of survey plus 2 years.
09-07-06	Storm Water Maintenance	Includes catch basin cleaning storm drain line inspections and other maintenance activities.	PW M&O		AC+2	GC 34090: 2 year minimum requirement State of California Guidelines; 2 years plus the current year for maintenance and operations.
09-07-07	Gas/Oxygen Testing Sensors	Inspection and testing of sensors under manhole covers to detect oxygen levels and harmful gases.	PW M&O		AC+2	GC 34090: 2 year minimum requirement State of California Guidelines; 2 years plus the current year for maintenance and operations.
09-08-00	Tree Maintenance					
09-08-01	General Information & Administration	Includes general subject information, reports and reference documents relating to the record group, but not associated with a specific record series already in the group.	City-wide		AR	Administrative Record; Review annually for relevance to current subject matter or projects, inclusion in an associated record series, or creation of a new record series.
09-08-02	Street Tree Inventory	Reports printed from the Street Tree Inventory Database.	PW M&O		CY+2	GC 34090: 2 year minimum requirement State of California Guidelines; 2 years plus the current year for maintenance and operations.
09-08-03	Tree Maintenance Projects	In-house provided maintenance for smaller project.	PW M&O		AC+2	GC 34090: 2 year minimum requirement State of California Guidelines; 2 years plus the current year for maintenance and operations.

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09-09-00	Graffiti Maintenance					
09-09-01	General Information & Administration	Includes general subject information, reports and reference documents relating to the record group, but not associated with a specific record series already in the group.	City-wide		AR	Administrative Record; Review annually for relevance to current subject matter or projects, inclusion in an associated record series, or creation of a new record series.
09-09-02	Graffiti Abatement	Includes block grant target area reports.	PW M&O		AC+2	GC 34090: 2 year minimum requirement. State of California Guidelines; 2 years plus the current year for maintenance and operations.
09-09-03	Quarterly & Monthly Graffiti Reports		PW M&O		CY+2	GC 34090: 2 year minimum requirement. State of California Guidelines; 2 years for management reports.
09-10-00	Signs/Paint Maintenance					
09-10-01	General Information & Administration	Includes general subject information, reports and reference documents relating to the record group, but not associated with a specific record series already in the group.	City-wide		AR	Administrative Record; Review annually for relevance to current subject matter or projects, inclusion in an associated record series, or creation of a new record series.
09-10-02	Street Lights	Includes repairs and inspections	PW M&O		AC+2	GC 34090: 2 year minimum requirement. State of California Guidelines; 2 years plus the current year for maintenance and operations.
09-11-00	Sweeping Maintenance					
09-11-01	General Information & Administration	Includes general subject information, reports and reference documents relating to the record group, but not associated with a specific record series already in the group.	City-wide		AR	Administrative Record; Review annually for relevance to current subject matter or projects, inclusion in an associated record series, or creation of a new record series.
09-11-02	Misc. Duties	Includes shopping carts.	PW M&O		AC+2	GC 34090: 2 year minimum requirement. State of California Guidelines; 2 years plus the current year for maintenance and operations.
09-12-00	Pesticide Maintenance					
09-12-01	General Information & Administration	Includes general subject information, reports and reference documents relating to the record group, but not associated with a specific record series already in the group.	City-wide		AR	Administrative Record; Review annually for relevance to current subject matter or projects, inclusion in an associated record series, or creation of a new record series.
09-12-02	Pesticide Application	Includes chemical application and pesticide application.	PW M&O		P	GC 34090: 2 year minimum requirement. F&AC 14011.5 - 12, maintain and submit Pesticide Use Reports. F&AC 14007, Restricted Materials Permits issued for 1 to 3 years.
09-12-03	Safety Information	Includes data sheets and forms.	PW M&O		CY+30	29 CFR 1910.1020; Retain MSDS records for 30 years unless another record of what, where and when a chemical was used is maintained.
09-12-04	Pesticide reports		PW M&O		CY+2	GC 34090: 2 year minimum requirement. State of California Guidelines; Current year plus 2 years for hazardous materials storage permits and pesticide application documents.

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09-12-05	Pesticide Training Records	Used for annual inspection by the County Ag. Compliance records.	PW M&O		CY+2	GC 34090: 2 year minimum requirement. State of California Guidelines: Current year plus 2 years for pesticide application documents.
09-12-06	Pesticide Regulation Inspection		PW M&O		CY+2	GC 34090: 2 year minimum requirement. State of California Guidelines: Current year plus 2 years for hazardous materials storage permits and pesticide application documents.
09-12-07	SB County Restricted Materials Permit		PW M&O		CY+2	GC 34090: 2 year minimum requirement. State of California Guidelines: Current year plus 2 years for hazardous materials storage permits and pesticide application documents.
09-12-08	Vector Control Reports		PW M&O		CY+2	GC 34090: 2 year minimum requirement. State of California Guidelines: 2 years for management reports.
09-13-00	Transcenter Maintenance					
09-13-01	General Information & Administration	Includes general subject information, reports and reference documents relating to the record group, but not associated with a specific record series already in the group.	City-wide		AR	Administrative Record: Review annually for relevance to current subject matter or projects, inclusion in an associated record series, or creation of a new record series.
09-14-00	Adopt A Highway					
09-14-01	General Information & Administration	Includes general subject information, reports and reference documents relating to the record group, but not associated with a specific record series already in the group.	City-wide		AR	Administrative Record: Review annually for relevance to current subject matter or projects, inclusion in an associated record series, or creation of a new record series.
09-14-02	Locations	Includes all locations and information.	PW M&O		S+2	GC 34090: 2 year minimum requirement. Administrative Decision: Maintain location information for 2 years after superseded to meet the State minimum retention.

10-00-00 HUMAN SERVICES

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10-01-00	Human Services Administration					
10-01-01	General Information & Administration	Includes general subject information, reports and reference documents relating to the record group, but not associated with a specific record series already in the group.	City-wide		AR	Administrative Record: Review annually for relevance to current subject matter or projects, inclusion in an associated record series, or creation of a new record series.
10-01-02	ReCtr.ac	Internal system for processing payments. Information entered in at Human Services front desk.	HS Admin		ACT	Transitory Record: Maintain while active or until data is transferred to a new tracking system.
10-01-03	Human Services Programs & Classes	Includes registration information, rules, guides and brochures, code of conduct, curriculum, contact information, attendance records, class sign-in sheets, weight room/vehicle/key sign-in sheets, evaluation forms, transportation intake forms, and liability waivers for paid programs and classes. Registration includes schedule change forms, names, address, emergency contacts and other registration related information for individuals for Senior Center, youth sports and all other programs and classes. Physical records outside of ReCtr.ac.	HS Admin	C	CY+2	GC 34090: 2 year minimum requirement. CCP 335.1: 2 years for action on injuries caused by neglect. State of California Guidelines: 2 years plus the current year.
10-01-04	Special Events	Includes contact information, waivers, outreach, planning, supply acquisition, staffing, copies of contracts, vendor applications, health department inspections and permits, and other event organization information.	HS Admin		CY+2	GC 34090: 2 year minimum requirement. 42 USC 1983: Definitions. GC 25105.5: 5 years after closure/completion. 29 USC 1113: 6 years after date of last action, or 3 years after plaintiff had knowledge of breach or violation, whichever comes first. GC 910 - 913: 6 months to 1 year after event occurs. State of California: 7 years after closure for accident/incident reports.
10-01-05	Program Incident Reports	Incidents occurring during or with the public. Not for employee incidents, which are sent to Human Resources.	HS Admin		AC+7	GC 34090: 2 year minimum requirement. 42 USC 1983: Definitions. GC 25105.5: 5 years after closure/completion. 29 USC 1113: 6 years after date of last action, or 3 years after plaintiff had knowledge of breach or violation, whichever comes first. GC 910 - 913: 6 months to 1 year after event occurs. State of California: 7 years after closure for accident/incident reports.
10-01-06	Trips	Includes program guides and brochures, permission slips, attendance records, rosters, sign-in sheets and other materials for family trips, day camps, season breaks, teen trips and other trips sponsored by the City.	HS Admin		CY+2	GC 34090: 2 year minimum requirement. CCP 335.1: 2 years for action on injuries caused by neglect. State of California Guidelines: 2 years plus the current year.
10-01-07	Instructors	Includes contracts, W-9, Livescan and other instructor information.	HS Admin		CY+4	CCP 337.2: Statutes of limitations of 4 years. CCP 343: Statutes of limitations of 4 years. GC 12946: 4 years after completion/position filled. State of California Guidelines: 2 years after completion/position filled. Denied applications maintained for 4 years after the position is filled to follow GC 12946.
10-01-08	Volunteers	Includes the application, contact information, fingerprint verification, correspondence and any general information about the volunteer. Adult volunteer applicants are Livescan fingerprinted.	HS Admin		AS+4	Denied applications maintained for 4 years after the position is filled to follow GC 12946.
		Accepted applications:			AS+4	
		Denied applications:			AC+4	

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10-01-09	CPS & APS Mandated Reporting	Required reporting for child or adult abuse.	Senior Ctr.	C	AC+10	PC 11169; Maintain. PC 11170; 10 years from date of reporting , DOJ Recommendation. PC 288, 647; Definitions. Administrative Decision: Citations listed above are for child abuse reports. Maintain senior/elder abuse reports for the same retention as child abuse reports for simply in destruction.
10-01-10	Leave Requests	Vacation time entered into Springbrook. Maintained by the department with signatures by the employee.	HS Admin		CY+2	GC 34090; 2 year minimum requirement.
10-01-11	Staff Time Cards	Information entered into Springbrook. Timesheet maintained by the department. Signed by the employee.	HS Admin		CY+6	GC 34090; 2 year minimum requirement. 29 CFR 516.2; Maintain. 29 CFR 516.6; 2 years. R&T 19530; 3 years after tax return due. R&T 19704; 6 year statute of limitations. LC 1174; 2 years after pay period. 26 CFR 31.6001-1; 4 years after tax return due. 29 USC 255(a); 2 to 3 years statute of limitations for minimum wages. State of California Guidelines; 6 years after audit. CCP 337(2) & (3); Statutes of limitations of 4 years. CCP 343; Statutes of limitations of 4 years. 48 CFR 4.703; 3 years after final payment. 48 CFR 4.705-1; 4 years after completion for accounting, payroll, purchasing records, et. al.
10-01-12	City Facility Rental Agreements	Includes applications, agreements, proof of insurance, alcohol permits and other rental documents for facility rentals.	HS Admin		AC+4	
10-02-00	Youth Center					
10-02-01	General Information & Administration	Includes general subject information, reports and reference documents relating to the record group, but not associated with a specific record series already in the group.	City-wide		AR	Administrative Record; Review annually for relevance to current subject matter or projects. Inclusion in an associated record series, or creation of a new record series.
10-02-02	Snack Bar Tallies	Requested by Finance for auditing.	Youth Ctr.		AA+4	GC 34090; 2 year minimum requirement. CCP 337; Statute of limitations, 4 years for action. State of California Guidelines; 4 years after audit. Administrative Decision: Maintain tallies for the current year plus 4 years to match retention of receivables in Finance.
10-03-00	Senior Center					
10-03-01	General Information & Administration	Includes general subject information, reports and reference documents relating to the record group, but not associated with a specific record series already in the group.	City-wide		AR	Administrative Record; Review annually for relevance to current subject matter or projects. Inclusion in an associated record series, or creation of a new record series.
10-03-02	Senior Registration Forms	Files on seniors who participate in the program. Annual forms and nutrition intake forms include the name, address, phone number, birth date, emergency contact information, nutritional assessments, and other information on seniors.	Senior Ctr.	C	CY+2	GC 34090; 2 year minimum requirement. CCP 335.1; 2 years for action on injuries caused by neglect. State of California Guidelines; 2 years plus the current year.

City of Montclair
Records Retention Schedule and UFIRST™ Index
10-00-00 HUMAN SERVICES

RES 24-3437 - EXHIBIT B

Legend:

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Series Code	Series Name	Description of Documents, As Needed	Office of Record	Special Attributes	Total Retention	Citations & Legal Basis ©
10-03-03	Senior Nutrition Program / Lunch	Includes sign-in sheets, rosters, lunch menus and other nutrition information.	Senior Ctr.	C	CY+2	GC 34090: 2 year minimum requirement CCP 335.1; 2 years for action on injuries caused by neglect. State of California Guidelines; 2 years plus the current year.
10-03-04	Food Handler Training & Certification		Senior Ctr.		AS+2	GC 34090: 2 year minimum requirement. State of California Guidelines; 2 years after termination/separation for certifications and designations.
10-03-05	Temperature Check Logs	Performed daily.	Senior Ctr.		CY+2	GC 34090: 2 year minimum requirement State of California Guidelines; Current year plus 2 years.
10-03-06	Cleaning Logs		Senior Ctr.		CY+2	GC 34090: 2 year minimum requirement State of California Guidelines; Current year plus 2 years.
10-03-07	Health Inspections	County inspections for the Senior Center and the Community Center.	Senior Ctr.		CY+2	GC 34090: 2 year minimum requirement. State of California Guidelines; Current year plus 2 years.
10-03-08	Environmental Health Permits	Permits provided to the City annually.	Senior Ctr.		CY+2	GC 34090: 2 year minimum requirement. State of California Guidelines; Current year plus 2 years.
10-03-09	Daily Vehicle Inspection Logs	Logs are completed for the Golden Express Transportation busses daily.	Senior Ctr.		CY+2	GC 34090: 2 year minimum requirement. State of California Guidelines; Current year plus 2 years.
10-03-10	Transportation Waivers		HS Admin		CY+2	GC 34090: 2 year minimum requirement. CCP 335.1; 2 years for action on injuries caused by neglect. State of California Guidelines; 2 years plus the current year.
10-04-00	After School Program	100% grant funded. All classes at school sites				
10-04-01	General Information & Administration	Includes general subject information, reports and reference documents relating to the record group, but not associated with a specific record series already in the group.	City-wide		AR	Administrative Record; Review annually for relevance to current subject matter or projects, inclusion in an associated record series, or creation of a new record series.
10-04-02	Applications	Program registrations, hard copy and electronic versions collected annually throughout the year.	ASP	C	AFP+5	GC 34090: 2 year minimum requirement. EDC 8482.3(g)(1)(F); 5 years for after school program plans. GC 8546.7; 3 years after final payment to support audits. San Bernardino County; 5 years after final reporting per the Delegate Agency Agreement.

10-00-00 HUMAN SERVICES

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Series Code	Series Name	Description of Documents, As Needed	Office of Record	Special Attributes	Total Retention	Citations & Legal Basis ©
10-04-03	Class Rosters	Classroom attendance sheet used daily.	ASP	C	AFP+5	GC 34090: 2 year minimum requirement EDC 8482.3(g)(1)(F): 5 years for after school program plans. GC 8546.7: 3 years after final payment to support audits. San Bernardino County: 5 years after final reporting per the Delegate Agency Agreement.
10-04-04	Daily Sign-in Sheets	Program attendance sheet used daily.	ASP		AFP+5	GC 34090: 2 year minimum requirement EDC 8482.3(g)(1)(F): 5 years for after school program plans. GC 8546.7: 3 years after final payment to support audits. San Bernardino County: 5 years after final reporting per the Delegate Agency Agreement.
10-04-05	Grant Attendance Sheets	Grant spreadsheet report kept electronically required by the School District.	ASP		AFP+5	GC 34090: 2 year minimum requirement EDC 8482.3(g)(1)(F): 5 years for after school program plans. GC 8546.7: 3 years after final payment to support audits. San Bernardino County: 5 years after final reporting per the Delegate Agency Agreement.
10-04-06	Early Release Forms	Signed documentation for early release of student from program.	ASP		AFP+5	GC 34090: 2 year minimum requirement EDC 8482.3(g)(1)(F): 5 years for after school program plans. GC 8546.7: 3 years after final payment to support audits. San Bernardino County: 5 years after final reporting per the Delegate Agency Agreement.
10-04-07	Bathroom Log		ASP		AFP+5	GC 34090: 2 year minimum requirement EDC 8482.3(g)(1)(F): 5 years for after school program plans. GC 8546.7: 3 years after final payment to support audits. San Bernardino County: 5 years after final reporting per the Delegate Agency Agreement.
10-04-08	Field Trip Permission Slips		ASP	C	AFP+5	GC 34090: 2 year minimum requirement EDC 8482.3(g)(1)(F): 5 years for after school program plans. GC 8546.7: 3 years after final payment to support audits. San Bernardino County: 5 years after final reporting per the Delegate Agency Agreement.

10-00-00 HUMAN SERVICES

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Series Code	Series Name	Description of Documents, As Needed	Office of Record	Special Attributes	Total Retention	Citations & Legal Basis ©
10-04-09	Pre / Post Surveys	Internally process surveys.	ASP		AFP+5	GC 34090: 2 year minimum requirement EDC 8482.3(G)(1)(F): 5 years for after school program plans. GC 8546.7: 3 years after final payment to support audits. San Bernardino County: 5 years after final reporting per the Delegate Agency Agreement.
10-05-00	Medical Clinic					
10-05-01	General Information & Administration	Includes general subject information, reports and reference documents relating to the record group, but not associated with a specific record series already in the group.	City-wide		AR	Administrative Record: Review annually for relevance to current subject matter or projects, inclusion in an associated record series, or creation of a new record series.
10-05-02	Patient Records	Includes patient charts.	Med. Clinic		AC+7*	GC 34090: 2 year minimum requirement. CCP 340.5: Healthcare providers: 3 years after occurrence or 1 year after the patient discovers the injury, whichever comes first. CCP 340.8: Exposure to hazardous substances: 2 years after exposure, or 2 years after patient discovers injury, whichever is later. 22 CCR 70751: 7 years for patient records for adults, *2 years after 18th birthday for unemancipated minors.
10-06-00	Community Activities Commission					
10-06-01	General Information & Administration	Includes general subject information, reports and reference documents relating to the record group, but not associated with a specific record series already in the group.	City-wide		AR	Administrative Record: Review annually for relevance to current subject matter or projects, inclusion in an associated record series, or creation of a new record series.
10-06-02	Agendas & Agenda Packets	Includes meeting agendas and staff reports.	HS Admin		CY+2	GC 34090: 2 year minimum requirement. State of California Guidelines: Maintain for the Current Year plus 2 years.
10-06-03	Minutes	Typed record of meeting content, including attendance, public comments, and correspondence.	HS Admin		P	GC 34090(e): Minutes of governing bodies; Permanent. GC 36814: Maintain record of proceedings. GC 40801: Maintain record of proceedings. State of California Guidelines: Permanent.
10-06-04	Military Banner Applications		HS Admin		CY+2	GC 34090: 2 year minimum requirement.

11-00-00 ECONOMIC DEVELOPMENT

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Series Code	Series Name	Description of Documents, As Needed	Office of Record	Special Attributes	Total Retention	Citations & Legal Basis ©
11-01-00	Economic Development					
11-01-01	General Information & Administration	Includes general subject information, reports and reference documents relating to the record group, but not associated with a specific record series already in the group.	All Depts		AR	Administrative Record. Review annually for relevance to current subject matter or projects. Inclusion in an associated record series, or creation of a new record series.
11-01-02	State of the City		ED		CY+2	GC 34090: 2 year minimum requirement State of California Guidelines; 2 years for management reports
11-01-03	Business Outreach	Includes Chamber of Commerce, small business outreach and Small Business Administration.	ED		CY+2	GC 34090: 2 year minimum requirement. State of California Guidelines; Maintain for the Current Year plus 2 years.
11-01-04	Marketing	Includes newsletters, brochures and other general outreach to the public.	ED		CY+7	GC 34090: 2 year minimum requirement. State of California Guidelines; Current year plus 7.
11-01-05	Property Acquisitions - Affordable Housing	Includes appraisals, property valuations, deeds, title reports, real estate agent communications and other acquisition documents.	ED		AC+10	CCP 337.15: 10 years after completion of construction or improvement. State of California Guidelines; Completion expiration 10 years for acquisitions.
11-01-06	Property Acquisitions - Economic Development	Land banking for future use. Includes appraisals, property valuations, deeds, title reports, real estate agent communications and other acquisition documents.	ED		AC+10	CCP 337.15: 10 years after completion of construction or improvement. State of California Guidelines; Completion expiration 10 years for acquisitions.
11-01-07	Legislative Affairs	Includes contacts with lobbyists for supporting or opposing bills, measures, etc.	ED		CY+2	GC 34090: 2 year minimum requirement.
11-01-08	Grant Processing	For Planning and Community Development grants. Documents include applications, invoices, submittals, preliminary drafts, logs, communications and other grant processing documents for departments.	ED		AFP+5	29 CFR 97.36(i)(11): 3 years after final payment. 29 CFR 97.42(b): 3 years after final payment. 2 CFR 200.334: 3 years after final expenditure report for federal grants. 24 CFR 570.502(a)(7)(i)(a): Deeds/CDBG activities, 4 years after closure of loan. State of California Guidelines; 5 years after grant closure. *State recommends referring to grant application close-out procedures, if any.
08-07-06	Climate Action Plan	Includes energy efficiency programs, electric vehicle infrastructure, and other climate impacting improvements. The City partners with agencies to promote the program.	ED		S+2	GC 34090: 2 year minimum requirement. State of California Guidelines; 2 years after master plan is superseded.

11-00-00 ECONOMIC DEVELOPMENT

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Series Code	Series Name	Description of Documents, As Needed	Office of Record	Special Attributes	Total Retention	Citations & Legal Basis ©
11-02-00	Development					
11-02-01	General Information & Administration	Includes general subject information, reports and reference documents relating to the record group, but not associated with a specific record series already in the group.	All Depts		AR	Administrative Record: Review annually for relevance to current subject matter or projects, inclusion in an associated record series, or creation of a new record series.
11-02-02	Projects	Includes reimbursement, operations and management agreements, consultant communications, invoices and reimbursement logs, consultant reports for environmental / CEQA, architectural reviews and other reports. Planning maintains permits and maps / plans.	ED		AC+5	CCP 337(2) & (3); Statutes of limitations of 4 years. CCP 337.2; Statutes of limitations of 4 years. 48 CFR 4.703; 3 years after final payment. 48 CFR 4.705-1; 4 years after completion for accounting, payroll, purchasing records, et. al. State of California Guidelines; 5 years for feasibility studies.
11-02-03	Land Leases	For cell towers and City-owned property leased out to other entities.	ED		AC+4	CCP 337.2; Statutes of limitations of 4 years. 48 CFR 4.703; 3 years after final payment. 48 CFR 4.705-1; 4 years after completion for accounting, payroll, purchasing records, et. al.
11-03-00	Revenue					
11-03-01	General Information & Administration	Includes general subject information, reports and reference documents relating to the record group, but not associated with a specific record series already in the group.	All Depts		AR	Administrative Record: Review annually for relevance to current subject matter or projects, inclusion in an associated record series, or creation of a new record series.
11-03-02	Community Facilities Districts	Includes annual tax reports.	ED		P	GC 34090(a); Permanent for land and property records. CCP 338; 3 year statute of limitations. State of California Guidelines; Permanent.
11-03-03	Tax Measures	Administrative materials including marketing, consultant coordination, public communications, surveys, measure ballot title, initiative and other measure related documents.	ED		AC+7	GC 34060; 2 year minimum requirement. EC 17200; 8 months after election closes for initiative and referendum petitions. State of California Guidelines; Current year plus 7 years for external promotional marketing materials. Administrative Decision: Maintain tax measure documents for 7 years after closure of the election to support the results.
11-03-04	Fee Studies & Updates	Includes cost allocation plans, fee study and updates.	ED		CY+3	2 CFR 200.334; Maintain cost plans for 3 years for federal awarded funds.
11-03-05	Master Fee Schedules		ED		CY+2	GC 34090; 2 years minimum.
11-04-00	Montclair Housing Authority					
11-04-01	General Information & Administration	Includes general subject information, reports and reference documents relating to the record group, but not associated with a specific record series already in the group.	All Depts		AR	Administrative Record: Review annually for relevance to current subject matter or projects, inclusion in an associated record series, or creation of a new record series.
11-04-02	Annual Reports	Reports to HCD.	Housing		AC+3	24 CFR 570.490; 3 years for reports.
11-04-03	Resolutions	Includes draft agreements attached to the resolution prior to final signatures.	Housing	V, H	P	GC 34090(e); Permanent for decisions of the City. GC 40806; Maintain. State of California Guidelines; Permanent.

11-00-00 ECONOMIC DEVELOPMENT

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11-05-00	Montclair Housing Corporation					
11-05-01	General Information & Administration	Includes general subject information, reports and reference documents relating to the record group, but not associated with a specific record series already in the group.	All Depts		AR	Administrative Record. Review annually for relevance to current subject matter or projects. Inclusion in an associated record series, or creation of a new record series.
11-05-02	Agendas & Agenda Packets		Housing		CY+2	GC 34090: 2 year minimum requirement. State of California Guidelines: Maintain for the Current Year plus 2 years.
11-05-03	Minutes		Housing	V, H	P	GC 34090e: Minutes of governing bodies, Permanent. GC 36814: Maintain record of proceedings. GC 40801: Maintain record of proceedings. State of California Guidelines: Permanent.
11-05-04	Resolutions		Housing	V, H	P	GC 34090(e): Permanent for decisions of the City. GC 40806: Maintain. State of California Guidelines: Permanent.
11-05-05	Contractual Agreements	Includes RFPs, signed agreement (property management, vendors, service providers), invoices for projects over \$5,000.	Housing		AC+4	CCP 337.2: Statutes of limitations of 4 years. 48 CFR 4.703: 3 years after final payment. 48 CFR 4.705-1: 4 years after completion for accounting, payroll, purchasing records, et. al.
11-05-06	Rehabilitation Projects	Rehabilitation of City affordable housing properties for multi-family and single family. Includes bid proposals, awarding of bids, progress payments / invoicing, progress photos, communications with contractors, and related documents. Older files are in paper format. Not grant related; funded by lease revenues and economic development.	Housing		AC+4	CCP 337.2: Statutes of limitations of 4 years. 48 CFR 4.703: 3 years after final payment. 48 CFR 4.705-1: 4 years after completion for accounting, payroll, purchasing records, et. al.
11-05-07	Property Management	Ties into the contractual agreements. Communications between City staff and property management, invoicing, weekly meeting agendas and other property management related records.	Housing		CY+4	GC 34090: 2 year minimum requirement. State of California Guidelines: 4 years after audit. Administrative Decision: Maintain property management documents for the current year plus 4 years to match retention of accounts payable records.
11-05-08	Home Owner Associations	City liaison sits on the HOA board. Includes CCRs, board packets / agendas for voting HOAs, invoices (approved by the liaison) and communications.	Housing		CY+4	GC 34090: 2 year minimum requirement. State of California Guidelines: 4 years after audit. Administrative Decision: Maintain HOA documents for the current year plus 4 years to match retention of accounts payable records.
11-05-09	Annual Income Certifications	Certification for affordable housing eligibility not related to grants. Maintained in paper format. City audited annually.	Housing	C	CY+2	GC 34090: 2 year minimum requirement.
11-06-00	Successor Agency / Former RDA Records					
11-06-01	General Information & Administration	Includes general subject information, reports and reference documents relating to the record group, but not associated with a specific record series already in the group.	All Depts		AR	Administrative Record. Review annually for relevance to current subject matter or projects, inclusion in an associated record series, or creation of a new record series.

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Series Code	Series Name	Description of Documents, As Needed	Office of Record	Special Attributes	Total Retention	Citations & Legal Basis ©
11-06-02	Redevelopment Plan		Housing		P	GC 34090(a): Real property records, maintain permanently. State of California Guidelines: Permanent.
11-06-03	Projects & Project Areas		Housing		P	GC 34090(a): Real property records, maintain permanently. State of California Guidelines: Permanent.
11-06-04	Property Acquisition		Housing		AC+10	CCP 337.15: 10 years after completion of construction or improvement. State of California Guidelines: Completion expiration 10 years for acquisitions.
11-06-05	Agendas / Agenda Packets		Housing		CY+2	GC 34090: 2 year minimum requirement. State of California Guidelines: Maintain for the Current Year plus 2 years.
11-06-06	Minutes		Housing	V, H	P	GC 34090e: Minutes of governing bodies, Permanent. GC 36814: Maintain record of proceedings. GC 40801: Maintain record of proceedings. State of California Guidelines: Permanent.
11-06-07	Resolutions		Housing	V, H	P	GC 34090(e): Permanent for decisions of the City GC 40806: Maintain. State of California Guidelines: Permanent.

12-00-00 POLICE DEPARTMENT

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Series Code	Series Name	Description of Documents, As Needed	Office of Record	Special Attributes	Total Retention	Citations & Legal Basis ©
12-01-20	Administration / Chief of Police					
12-01-01	General Information & Administration	Includes general subject information, reports and reference documents relating to the record group, but not associated with a specific record series already in the group.	City-wide		AR	Administrative Record. Review annually for relevance to current subject matter or projects. Inclusion in an associated record series, or creation of a new record series.
12-01-02	Mark 43	As of July 1, 2020 has case documents attached.	PD Admin		ACT	Transitory Record. Maintain while active or until data is transferred to a new tracking system.
12-01-03	Policies & Procedures	Maintained in Lexipol electronically. Includes prior editions.	PD Admin	C	P	GC 34090: 2 year minimum requirement. State of California Guidelines: Permanent, no citation given.
12-01-04	Department Directives	May include general department procedures and legal directives.	PD Admin		P	GC 34090: 2 year minimum requirement. State of California Guidelines: Permanent, no citation given.
12-01-05	Personnel Files	Includes supervisor's personnel files. Maintained by the Police Department for the same retention as Human Resources personnel files.	PD Admin		AS+6	29 CFR 1627.3 - 4; 3 years after termination. 29 CFR 1602.30 - 32; 2 - 3 years after termination. 29 CFR 516.5 - 6; 3 years after action. 29 USC 1113; 6 years after date of last action. GC 12946; 4 years after termination or action. State of California Guidelines: 3 years after termination.
12-01-06	Personnel Orders	Includes vacation sign ups, work and duty schedules, paid overtime and special details.	PD Admin		CY+2	GC 34090: 2 year minimum requirement. State of California Guidelines: Current year plus 2 years for watch assignments, daily schedules and timekeeping records.
12-01-07	Civilian Complaints	Form completed by a civilian. Complaints may become formal investigations.	PD Admin		AC+7	GC 34090: 2 year minimum requirement. 42 USC 1983; Settlement of civil rights complaint plus 7 years.
12-01-08	Administrative Investigations		PD Admin	C	AC+15	PC 832.5(b) Statutory minimum is 5 years for no sustained misconduct and 15 years for sustained misconduct. EVC 1045: 5 years for conduct. PC 801.5: SOL of 4 years after event. PC 803(c): public officer, crime descriptions. VC 2547: SOL of 3 years for officer fraud. GC 12946; 4 years after completion/position filled.
12-01-09	Use of Force Review		PD Admin		CY+2	GC 34090: 2 year minimum requirement. State of California Guidelines; Current year plus 2 years for use of force files.
12-01-10	Pitchess Motions	Copy maintained with the officer's file.	PD Admin		CY+2	GC 34090: 2 year minimum requirement.
12-01-11	Retiree CCW Qualifications	Records of retirees for carrying firearms. Retirees need to qualify for carrying. Disqualified applications also maintained.	PD Admin		CY+2	GC 34090: 2 year minimum requirement. PC 12071, Maintain records. PC 12078, Maintain records. State Recommendation, 2 years after the license expires.
		Approved applications: Denied applications:			AE+2 CY+2	

12-00-00 POLICE DEPARTMENT

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12-01-12	Audio Recordings - Routine	Includes telephone and radio communications. If crime related, the District Attorney must request audio within 100 days of the date. The City Attorney will inform the PD about pending litigation, and will approve destruction of recordings on a monthly basis.	PD Admin		180 Day*	GC 34090.6: 100 days. If a claim is filed or pending litigation, retain until pending litigation is resolved and *destroy with consent of the City Attorney. State of California Guidelines: 180 days for audio, telephone and radio communication tapes, with exceptions of recordings pertaining to GC 34090.6, PC 832.18(5)(A)&(B): 60 days for non-evidentiary data, 2 years for evidentiary data.
12-01-13	Audio / Video Recordings - Body-worn Cameras	Includes tape recordings and video from body-worn systems. *Non-evidence, Police Report with no arrest, detention/arrest, traffic/pedestrian contact with no Police Report. **Violent Crime Report, Use of Force, Administrative, Complaint Against Employee or Agency.	IT PD Admin / PD Records	C C	2Y 5Y or 15Y**	*State of California Guidelines: Current year plus 2 years for misdemeanors/infractions with no arrests, identifiable property or missing persons. **EVC 1045: Discovery of officer information on Internal Affairs cases. 5 year access limit. **CCP 338 et al.: up to 3 years after commission of offense or after realization of offense. **PC 832.5: 5 years after case closure with no sustained misconduct, 15 years with sustained misconduct; confidential document not for public exposure.
12-01-14	Jail Inspection Records	Performed by various outside agencies.	PD Admin		AC+6	GC 34090: 2 year minimum requirement State of California Guidelines: After completion plus 6 years for inspections by various agencies. ***State of California Guidelines: Permanent.
12-01-15	Asset Seizure/Forfeiture Form	For monies seized over a certain amount. Requested from a major crimes task force, and ultimately in Records with the case file. Seizure forms not related to a case are stored in Admin. Originals are maintained by the DA, a copy is maintained by the City.	PD Admin		CY+1	GC 34090.7: Duplicate records may be destroyed within the 2 year minimum retention period
12-01-16	Asset Forfeiture Use Funds	Disbursement of monies related to a closed case.	PD Admin		AC+5	US DOJ Guide to Equitable Sharing: 5 years for receipts and procurement documentation for all expenditures of shared funds, bank statements, Forms DAG-71 and TD F, ESACs, accounting and bookkeeping documents, logs and records, bank records and statements, and audit reports.
12-01-17	ESAC Annual Reports	Report showing what monies were spent and received by the City from asset Forfeiture. Federal Equitable Sharing Agreement Certification Form.	PD Admin		CY+5	US DOJ Guide to Equitable Sharing: 5 years for receipts and procurement documentation for all expenditures of shared funds, bank statements, Forms DAG-71 and TD F, ESACs, accounting and bookkeeping documents, logs and records, bank records and statements, and audit reports.

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12-01-18	Military Equipment Annual Report	Copy maintained with the City Council agenda packet.	PD Admin		ACT	GC 34090.7: Duplicates may be destroyed within the 2 year minimum period. Duplicates must not be kept longer than the retention life of the original record. Administrative Record, State of California Guidelines.
12-01-19	T/U Visa Form Reports	Reports to the State for human trafficking and victims of violent crimes.	PD Admin		AA+2	GC 34090: 2 year minimum requirement. State of California Guidelines; Current year plus 2 years for weekly, monthly, quarterly, and annual activity/statistical reports.
12-01-20	Grant Applications and Programs, Approved	Incoming grants for the PD. Application and related documents.	PD Admin		AFP+5*	29 CFR 97.36(i)(11): 3 years after final payment. 29 CFR 97.42(b): 3 years after final payment. 2 CFR 200.334: 3 years after final expenditure report for federal grants. 24 CFR 570.502(a)(7)(i)(a): Deeds/CDBG activities, 4 years after closure of loan. State of California Guidelines: 5 years after grant closure. *State recommends referring to grant application close-out procedures, if any.
12-01-21	Grant Applications and Programs, Not Approved	Incoming grants for the PD. Application and related documents.	PD Admin		AC+2	GC 34090: 2 year minimum requirement.
12-01-22	Police Explorer / Chaplain Program	Includes information from initial background checks, employment processing, emergency contact information, waivers, timekeeping, application and other documents. Explorers are not paid employees.	PD Admin	C	AT+4 AC+4	GC 12946: 4 years after completion/position filled. State of California Guidelines: 2 years after termination. Administrative Decision. Maintain volunteer files for 4 years after termination for those hired, and 4 years after position filled for denied applications to follow recruitment retention.
12-01-23	Police Reserves	Includes application, ride-along waiver, background authorization, supplemental background information form, criminal history and records checks, live scan fingerprinting, training, community service records, background letters to neighboring agencies, and ID cards. Denied applications maintained with recruitment files.	PD Admin	C	AT+4 AC+4	GC 12946: 4 years after completion/position filled. State of California Guidelines: 2 years after termination. Administrative Decision. Maintain volunteer files for 4 years after termination for those hired, and 4 years after position filled for denied applications to follow recruitment retention.
12-01-24	Background Investigations, Non-Hired Candidates		PD Admin	C	AC+4	PC 832.5: 5 years for officer complaints. State of California Guidelines: 2 years after position closes for Safety Personnel not hired. Administrative Decision. Maintain background checks for 4 years after the position is filled to meet HR recruitment retention requirements.
12-01-25	Audit Inspection Logs	California Board of State & Community Corrections.	PD Admin		AA+2	GC 34090: 2 year minimum requirement. State of California Guidelines: Current year plus 2 years for weekly, monthly, quarterly, and annual activity/statistical reports.
12-01-26	Firearms	Records of department owned firearms.	PD Admin		S+2	GC 34090: 2 year minimum requirement. State of California Guidelines: 2 years after superseded for equipment inventory records.

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12-01-27	Photographs	Police Department events, department photos, etc.	PD Admin		CY+2 AR	GC 34090: 2 year minimum requirement. Administrative Record, State of California Guidelines. Administrative Decision: Current year plus 2 years, review annually for historical content.
12-01-28	Juvenile Detention Logs		PD Admin		CY+6	GC 34090: 2 year minimum requirement. State of California Guidelines; Current year plus 6 years for jail logs.
12-01-29	Rosters		PD Admin		S+2	GC 34090: 2 year minimum requirement. State of California Guidelines; 2 years after superseded for divisional rosters.
12-01-30	Special Events		PD Admin		CY+2	GC 34090: 2 year minimum requirement. State of California Guidelines; Current year plus 2
12-01-31	Pawn Broker / Secondhand Dealer Licenses		PD Admin		CY+2	State of California Guidelines; Current year plus 2 years for Secondhand Dealers and Pawn Broker licenses.
12-01-32	Contracts & Agreements	Includes general service, supply and equipment contracts and agreements signed in-house by the Police Department. Copies sent to the City Clerk.	PD Admin		AC+4	CCP 337(2) & (3); Statutes of Limitations of 4 years. CCP 337.2; Statutes of limitations of 4 years. 48 CFR 4.703; 3 years after final payment. 48 CFR 4.705-1; 4 years after completion for accounting, payroll, purchasing records, et. al.
12-01-33	Licenses	Includes workpapers and licenses for massage activities and other permits requiring PD approval.	PD Admin		AE+2	GC 34090: 2 year minimum requirement. State of California Guidelines; Current year plus 2 years for various business permits.
12-01-34	Press Releases	Released by the Police Department and published on the website.	PD Admin		CY+2	GC 34090: 2 years minimum. State of California Guidelines; Current year plus 2 years for press releases.
<u>12-02-00</u>	<u>Records</u>	***Maintain all case files confidential while active. California Public Records Act to be consulted.				
12-02-01	General Information & Administration	Includes general subject information, reports and reference documents relating to the record group, but not associated with a specific record series already in the group.	City-wide		AR	Administrative Record; Review annually for relevance to current subject matter or projects. Inclusion in an associated record series, or creation of a new record series.
12-02-02	Case Reports - All Other	Crime reports, DUIs, incidents, mandatory registrants, bookings/arrests, missing persons, restraining orders, criminal protective orders, NCIC entries. May include property, photos, field interview cards, additional documents and any other elements for the case. All files scanned and stored in the RMS system.	PD Records	V, C***	AR	***Maintain all case files confidential while active. California Public Records Act to be consulted.
	187 - Murders		PD Records	V, C***	P	PC 187: Definitions. PC 799: No statutes of limitations on actions. Indefinite retention is recommended by DOJ and CA Law Enforcement Officers Assoc.

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12-02-02	Accident Reports, Felony & Fatality Collisions		PD Records	V, C***	AC+25	PC 799: No statutes of limitations on actions. Indefinite retention is recommended by DOJ and CA Law Enforcement Officers Assoc. State of California Guidelines: Permanent. Administrative Decision: Maintain felony and fatality accident reports for 25 year after closure to follow other agency practices.
	Accident Reports, General & Misdemeanor Infractions		PD Records	V, C***	AC+2	GC 34090: 2 year minimum requirement. State of California Guidelines: Current year plus 2 years for misdemeanors/infractions with no arrests, identifiable property or missing persons. Administrative Decision: Maintain for 2 years after closure of the case.
	Child Abuse		PD Records	V, C***	AC+10	PC 11169: Maintain. PC 11170: 10 years from date of reporting. DOJ Recommendation. PC 288, 647: Definitions.
	Crimes with Death		PD Records	V, H, C***	P	PC 799, 801, 1, 803: No statutes of limitations on actions. CCP 335.1: Must commence action within 2 years. Indefinite retention is recommended by DOJ and CA Law Enforcement Officers Assoc. State of California Guidelines: Permanent.
	Drug / Sex Crime Registration	Sex offenders - Adult. Sex offenders - Juvenile.	PD Records PD Records	V, C*** V, C***	L+2 *Varies	GC 34090: 2 years minimum. *PC 290: definitions and references. W&IC 781: 5 years after record sealed or when juvenile reaches 38 years. Permanent if tried as an adult. State of California Guidelines: Life of registrant within jurisdiction for arson, sex and narcotics.
	Marijuana Related Crimes		PD Records	V, C***	AC+2*	HS 11361.5, 11361.7, 11357 B, C, D, or E: 2 years after case closure, *or until offender reaches the age of 18 years provided there are no active warrants associated with the case. Destroy Juvenile marijuana cases after age 18. H&S 11362.1, Legal adult use of cannabis products. *Combined cases may be retained for the longest applicable retention period. The District Attorney may vacate the conviction and the City may destroy the case file sooner than the retention period listed.
	Misdemeanors / Infractions, Filed		PD Records	V, C***	AC+2	GC 34090: 2 year minimum requirement. State of California Guidelines: Current year plus 2 years for misdemeanors/infractions with no arrests, identifiable property or missing persons.

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12-02-02	Misdemeanors / Infractions, Not Filed	Misdemeanors with no leads, no convictions or arrests not filed.	PD Records	V, C***	AC+3	GC 34090: 2 year minimum requirement CCP 338; up to 3 years after commission of offense or after realization of offense. State of California Guidelines; Current year plus 2 years for misdemeanors/infractions with no arrests, identifiable property or missing persons. GC 34090: 2 year minimum requirement. State of California Guidelines; Current year plus 2 years for non-criminal occurrences, including missing persons where person has been returned/found. DOJ recommends permanent for unsolved missing persons.
	Missing Persons		PD Records	V, C***	AC+2	EVC 1045; Discovery of officer information on Internal Affairs cases. 5 year access limit. PC 832.5; 5 years after case closure with no sustained misconduct, 15 years with sustained misconduct; confidential document not for public exposure. VC 2542 & 2547; Officer Fraud or misrepresentation. 3 years after act or omission. State Recommendation: Closure of case plus 25 years. DOJ regulates, if not involving felonies, the report can be destroyed after 3 years, provided that accounting of incident has been placed with the case file.
	Officer Involved Shootings	Includes shootings.	PD Records	V, C***	AC+25	CCP 338 et al.; up to 3 years after commission of offense or after realization of offense. State Recommendation: Closure of case plus 3 years.
	Robberies / Burglary		PD Records	V, C***	AC+3	PC 261: Definitions. PC 220: Definitions & punishments. PC 286: Definitions & punishments. PC 288: Definitions & punishments. PC 289: Definitions & punishments. W&I 781: Juvenile records, when offender reaches age 38, or 5 years after records are sealed. Department of Justice recommends 25 years. Administrative Decision: Maintain sex crime cases for 2 years after proof of offender's death.
	Sex Crimes	Includes child molestation, rape and other sex crimes.	PD Records	V, C***	L+2	CCP 338 et al.; up to 3 years after commission of offense or after realization of offense. State Recommendation: Closure of case plus 3 years.
	Stolen Vehicles		PD Records	V, C***	AC+3	GC 34090: 2 year minimum requirement. CCP 338 et al.; up to 3 years after commission of offense or after realization of offense. State Recommendation: Closure of case plus 3 years.
	Unattended Death / Suicide		PD Records	V, H, C***	P	GC 34090: 2 year minimum requirement. PC 799; No statutes of limitations on actions. Indefinite retention is recommended by DOJ and CA Law Enforcement Officers Assoc. State of California Guidelines; Permanent.
		Suspicious Circumstances	PD Records	V, C***	AC+2	
		No suspicious circumstances	PD Records	V, C***	AC+2	

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12-02-02	5585 Hold Cases - Minors		PD Records	V, C***	P	GC 34090: 2 year minimum requirement State of California Guidelines; Current year plus 2 years for non-criminal occurrences. Administrative Decision: Maintain 5585 hold cases permanently to track history of the event.
	5150 Hold Cases - Adults		PD Records	V, C***	P	GC 34090: 2 year minimum requirement State of California Guidelines; Current year plus 2 years for non-criminal occurrences. Administrative Decision: Maintain 5150 hold cases permanently to track history of the event.
12-02-03	CHP 187 Vehicle Pursuits	Includes a log tracking filing and sending the report, a summary of the actions, and proof of delivery from the CHP.	PD Records		IND	VC 17004.7; Maintain vehicle pursuit records; no retention.
12-02-04	Record Sealings	Adults	PD Records	V, C***	AC+3*	PC 851.8(a); Factually innocent records; 3 years after arrest. *with district attorney approval.
12-02-05	Record Sealings	Juveniles	PD Records	V, C***	AC+5**	Date of court ordered destruction. W&IC 781; 5 years after sealed by court order for at-risk youth; **W&IC 781; When juvenile reaches the age of 38 for murder and/or sex crimes occurring before the child is 14 years of age. **W&IC 781; For murder and/or sex crimes occurring on or after the child reaches age 14. DO NOT DESTROY.
12-02-06	Jail Logs		PD Records		CY+6	GC 34090: 2 year minimum requirement State of California Guidelines; Current year plus 6 years for jail logs.
12-02-07	Citation Book Log	Form printed out for issuing citation books to officers.	PD Records		CY+2	GC 34090: 2 year minimum requirement State of California Guidelines; Current year plus 2 years for parking and traffic citations.
12-02-08	Case Assignment Logs		PD Records		CY+2	GC 34090: 2 year minimum requirement. State of California Guidelines; Current year plus 1 year for case assignment logs.
12-02-09	CORI Release Logs		PD Records		CY+2	GC 34090: 2 year minimum requirement. State of California Guidelines; Current year plus 2 years for various police logs.
12-02-10	Subpoena Logs		PD Records		CY+2	GC 34090: 2 year minimum requirement. State of California Guidelines; Current year plus 2 years for subpoena logs.
12-02-11	Teletypes	Used for contacting other agencies, locating vehicles and missing persons, BOLOs and 10 minute hit requests / responses.	PD Records		CY+2	GC 34090: 2 year minimum requirement.
12-02-12	Citations - Parking / Traffic		PD Records		CY+2	GC 34090: 2 year minimum requirement. State of California Guidelines; Current year plus 2 years for parking and traffic citations.

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12-02-13	Citations - Administrative / Notice to Appear		PD Records		CY+2	GC 34090: 2 year minimum requirement State of California Guidelines: Current year plus 2 years for parking and traffic citations.
12-02-14	Cash Receipt Books	Log of monies receive at the PD counter.	PD Records		CY+4	GC 34090: 2 year minimum requirement. CCP 337: Statute of limitations of 4 years. State of California Guidelines: 4 years after annual audit.
12-02-15	Criminal Background Checks	Requests for local criminal checks for law enforcement job applicants.	PD Records		CY+3	GC 34090: 2 year minimum requirement. CCP 340: 1 year statute of limitations. 11 CCR 707(c): 3 years after release of record .
12-02-16	Local Records Check	Includes requests from persons residing in the City asking for a cursory records check through our RMS system to ascertain if the person has any negative information on file in our RMS system. This request results in a letter stating the results of the records check.	PD Records		CY+2	GC 34090: 2 year minimum requirement.
12-02-17	Live Scan Fingerprinting	Includes fingerprinting applications for City employees and certain companies/entities.	PD Records	C	CY+2	GC 34090: 2 year minimum requirement. State of California Guidelines: Maintain fingerprint information for city employment for 2 years after termination.
12-02-18	Statistical Report Requests	Reports and data produced on request and distributed to requesting divisions/units, departments, agencies or the public.	PD Records		CY+2	GC 34090: 2 year minimum requirement. State of California Guidelines: Current year plus 2 years for weekly, monthly, quarterly and annual statistical reports.
12-02-19	Monthly DOJ/IBR (MACR) Report	Electronic statistical report for future analysis. MACR - Monthly Arrest & Citations Register - DOJ form JUS 750. Now automatically pulled from Mark 43 for reporting.	PD Records		CY+2	GC 34090: 2 year minimum requirement. State of California Guidelines: Current year plus 2 years for weekly, monthly, quarterly and annual statistical reports.
12-02-20	Ride Along / Sit Along Waiver		PD Records		CY+3	CCP 340.5 Healthcare providers is 3 years after occurrence or 1 year after the patient discovers the injury, whichever comes first. CCP 340.8: Exposure to hazardous substances: 2 years after exposure, or 2 years after patient discovers injury, whichever is later. 8 CCR 3203(b)(1): Injury & Illness Prevention Program inspection records, maintain at least 1 year.
12-02-21	False Alarm Claims	Cards maintained by PD. Finance invoices the offender.	PD Records		CY+2	GC 34090: 2 year minimum requirement. State of California Guidelines: Current year plus 2 years for false alarm records.
12-02-22	Tow Logs - Private Property/Repos		PD Records		CY+2	GC 34090: 2 year minimum requirement
12-03-00	Support Svcs - Investigations					
12-03-01	General Information & Administration	Includes general subject information, reports and reference documents relating to the record group, but not associated with a specific record series already in the group.	City-wide		AR	Administrative Record: Review annually for relevance to current subject matter or projects, inclusion in an associated record series, or creation of a new record series.

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12-03-02	Informant Files	Confidential files maintained in paper form and reviewed annually for activity. Includes vice crimes (gang, narcotics, prostitution, robbery).	Detective Bureau	C	AT+10	GC 34090: 2 year minimum requirement. State of California Guidelines: 10 years after termination for informant files, no citation stated.
12-03-03	Registrant Files	Arson, sex and drug registrants.	Detective Bureau	C	L+2	GC 34090: 2 years minimum. *PC 290: definitions and references. W&IC 781: 5 years after record sealed or when juvenile reaches 38 years. Permanent if tried as an adult. PC 186.32: 5 years after last registration requirement. *PC 457: Arson registration for juveniles, 25 years of age or when records are sealed per W&IC 781 State of California Guidelines: Life of registrant within jurisdiction for arson, sex and narcotics.
12-03-04	Pawn Slips	Includes pawn slips and secondhand dealer consignment slips / tickets.	Detective Bureau		CY+2	GC 34090: 2 year minimum requirement. State of California Guidelines: Current year plus 2 years for Secondhand Dealers and Pawn Brokers.
12-04-00	Support Svcs - Patrol					
12-04-01	General Information & Administration	Includes general subject information, reports and reference documents relating to the record group, but not associated with a specific record series already in the group.	City-wide		AR	Administrative Record: Review annually for relevance to current subject matter or projects, inclusion in an associated record series, or creation of a new record series.
12-04-02	Field Training	Filed by officer containing handouts, daily evaluations, qualification criteria and training scenarios. Maintained electronically in LEFTA.	PD Admin		AS+7	GC 34090: 2 year minimum requirement. 29 CFR 1627.3(b): 1 year for training records. GC 12946: 4 years after termination. GC 7920.000: PRA, confidential record status. State of California Guidelines: 7 years after termination, no specific citation given. 2 years after termination for certificates and designations training.
12-04-03	Division Files	Includes written counseling, performance improvement plans, commendations, trimester evaluations, sick leave slips. Documents signed by the individual officer. Transitory working file that leads to the officer's performance appraisal maintained in the personnel file. Dispatch and Records maintain division files on all employees.	PD Admin		AS+6	29 CFR 1627.3 - 4; 3 years after termination. 29 CFR 1602.30 - 32: 2 - 3 years after termination. 29 CFR 516.5 - 6: 3 years after action. 29 USC 1113: 6 years after date of last action. GC 12946: 4 years after termination or action. State of California Guidelines: 3 years after termination.
12-04-04	Patrol Sergeant Shift Reports	Maintained electronically on the Z drive.	PD Admin		CY+2	GC 34090: 2 year minimum requirement. State of California Guidelines: Current year plus 2 years for watch assignments, daily schedules and timekeeping records.
12-04-05	Exposure Logs	Log book of exposures not separated by employee. Also forwarded to HR for medical file.	PD Admin		CY+30	8 CCR 15400: Maintain reports. LC 90 - 139.6: 5 years for auditing. LC 6410: OSHA, maintain. 29 CFR 1627.3(b)(1): 1 year from action. 29 CFR 1910.1020: 30 years after employee termination State of California Guidelines: 30 after completion/closure.

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12-04-06	Daily Activity Logs		PD Admin		CY+2	GC 34090: 2 year minimum requirement. State of California Guidelines: Current year plus 2 years for watch assignments, daily schedules and timekeeping records.
12-05-00	Support Svcs - Training					
12-05-01	General Information & Administration	Includes general subject information, reports and reference documents relating to the record group, but not associated with a specific record series already in the group.	City-wide		AR	Administrative Record: Review annually for relevance to current subject matter or projects, inclusion in an associated record series, or creation of a new record series.
12-05-02	Range Books	Includes range lesson plans, firearms safety plan, weapon maintenance, firearm training manuals, simulation training, range master and safety officer for firearms and less-lethal weapons. Maintained annually in binders.	PD Admin		AC+15	GC 34090: 2 year minimum requirement. State of California Guidelines: 15 years after completion for range lesson plans. No citation given.
12-05-03	Officer Training Records	Filed by officer. Maintained electronically in TMS and LEFTA.	PD Admin		AS+7	GC 34090: 2 year minimum requirement. 29 CFR 1627.3(b): 1 year for training records. GC 12946: 4 years after termination. GC 7920.000: PRA, confidential record status. State of California Guidelines: 7 years after termination, no specific citation given. 2 years after termination for certificates and designations training.
12-05-04	Internal Instructor Training Programs	Includes class outline, tests, percentages, roster, handouts, instructor's qualifications and resumes, qualification criteria and training scenarios, range lesson plans, firearms safety plan, weapon maintenance, firearm training manuals, simulation training, range master and safety officer for firearms and less-lethal weapons. Copy of the program posted to the website.	PD Admin		AC+15	GC 34090: 2 year minimum requirement. 29 CFR 1627.3(b): 1 year for training records. State of California Guidelines: 15 years after completion for range lesson plans. No citation given.
12-05-05	CLETS Training	Includes agency terminal coordinator records, and training and recertification records.	PD Admin		AS+7	GC 34090: 2 year minimum requirement. 29 CFR 1627.3(b): 1 year for training records. GC 12946: 4 years after termination. GC 7920.000: PRA, confidential record status. State of California Guidelines: 7 years after termination, no specific citation given. 2 years after termination for certificates and designations training.
12-06-00	Support Svcs - Technical Services					
12-06-01	General Information & Administration	Includes general subject information, reports and reference documents relating to the record group, but not associated with a specific record series already in the group.	City-wide		AR	Administrative Record: Review annually for relevance to current subject matter or projects, inclusion in an associated record series, or creation of a new record series.
12-06-02	Equipment Calibrations	Preliminary Alcohol Screening Device and radar calibration.	Tech Svcs		AT+2	GC 34090: 2 year minimum requirement. State of California Guidelines: 2 years after termination of use of equipment for radar calibration records

12-00-00 POLICE DEPARTMENT

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Series Code	Series Name	Description of Documents, As Needed	Office of Record	Special Attributes	Total Retention	Citations & Legal Basis ©
12-06-03	Equipment Inventory	Equipment issued to officers and other department equipment. Historic information maintained in TMS.	Tech Svcs		S+2	GC 34090: 2 year minimum requirement State of California Guidelines: 2 years after superseded for equipment inventory records
12-06-04	Vehicle Assignments	Vehicles assigned to P.D. Maintained in TMS.	Tech Svcs		CY+2	GC 34090: 2 year minimum requirement. State of California Guidelines: 2 years plus the current year for daily activity logs.
12-06-05	Auction Reports		Tech Svcs		CY+2	GC 34090: 2 year minimum requirement. State of California Guidelines: 2 years after financial audit for surplus property auctions including listings of property.
12-06-06	Surveillance Recordings - Police Facilities	Includes in-building and parking lot surveillance.	Tech Svcs		180 Days	GC 34090.6: 100 days. *If a claim is filed or pending litigation, retain with the case file. State of California Guidelines: 180 days for audio, telephone and radio communication tapes, with exceptions of recordings pertaining to GC 34090.6
12-06-07	Vehicle / Equipment Service Schedules				LOV+2	GC 34090: 2 year minimum requirement. State of California Guidelines state life of the vehicle plus 2 years for fuel, maintenance and repair records of vehicles. State does not reference any citations.
12-07-00	Support Svcs - Property & Evidence					
12-07-01	General Information & Administration	Includes general subject information, reports and reference documents relating to the record group, but not associated with a specific record series already in the group.	City-wide		AR	Administrative Record: Review annually for relevance to current subject matter or projects, inclusion in an associated record series, or creation of a new record series.
12-07-02	Civil Subpoenas		Property		CY+2	GC 34090.7: Duplicate records may be destroyed at any point before the total retention period. State of California Guidelines: Current year plus 2 years. Courts/County maintain the original record.
12-07-03	Disturbance of the Peace	Forms left at the location of disturbance.	Property		AC+3	GC 34090: 2 year minimum requirement. CCP 338: up to 3 years after commission of offense or after realization of offense. State of California Guidelines: Current year plus 2 years for misdemeanors/infractions with no arrests, identifiable property or missing persons. Administrative Decision: Maintain forms for 3 years after completion to coincide with unfilled misdemeanor retention.
12-07-04	Evidence Room Entry Logs		Property		CY+2	GC 34090: 2 year minimum requirement. State of California Guidelines: Current year plus 2 years for various police logs.
12-08-00	Field Svcs - Dispatch					
12-08-01	General Information & Administration	Includes general subject information, reports and reference documents relating to the record group, but not associated with a specific record series already in the group.	City-wide		AR	Administrative Record: Review annually for relevance to current subject matter or projects, inclusion in an associated record series, or creation of a new record series.

12-00-00 POLICE DEPARTMENT

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Series Code	Series Name	Description of Documents, As Needed	Office of Record	Special Attributes	Total Retention	Citations & Legal Basis ©
12-08-02	Communication Training Program		Dispatch		AS+7	GC 34090: 2 year minimum requirement. 29 CFR 1627.3(b), 1 year for training records. GC 12946: 4 years after termination. GC 7920.000: PRA, confidential record status. State of California Guidelines: 7 years after termination, no specific citation given. 2 years after termination for certificates and designations training.
12-08-03	Audio Recordings - Telephone / Radio		Dispatch		180 Days*	GC 34090.6: 100 days. If a claim is filed or pending litigation, retain until pending litigation is resolved and *destroy with consent of the City Attorney. State of California Guidelines: 180 days for audio, telephone and radio communication tapes, with exceptions of recordings pertaining to GC 34090.6.
12-08-04	Call Cards	Manually handwritten call cards for when the system is unavailable.	Dispatch		AC+3	GC 34090: 2 year minimum requirement. CCP 338: 3 year statute of limitations. CCP 340.5: 3 year statute of limitations. State of California Guidelines: Maintain dispatch logs for 3 years after completion. Administrative Decision: Maintain call cards for 3 years after completion to coincide with dispatch logs.
12-08-05	Dispatch Logs		Dispatch		AC+3	GC 34090: 2 year minimum requirement. CCP 338: 3 year statute of limitations. CCP 340.5: 3 year statute of limitations. State of California Guidelines: Maintain dispatch logs for 3 years after completion.

13-00-00 FIRE SERVICES

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Series Code	Series Name	Description of Documents, As Needed	Office of Record	Special Attributes	Total Retention	Citations & Legal Basis ©
13-01-30	Fire Administration					
13-01-01	General Information & Administration	Includes general subject information, reports and reference documents relating to the record group, but not associated with a specific record series already in the group.	City-wide		AR	Administrative Record: Review annually for relevance to current subject matter or projects, inclusion in an associated record series, or creation of a new record series.
13-01-02	Image/Trend	Used for incidents, inspection tracking and resident contact information. Formerly FireRMS	Fire		ACT	Transitory Record: Maintain while active or until data is transferred to a new tracking system.
13-01-03	FirstDue	Used for inspections, EOC team coordination and other activities.	Fire		ACT	Transitory Record: Maintain while active or until data is transferred to a new tracking system.
13-01-04	Vector Scheduling	Creates rosters for personnel and used to create timesheets for Finance.	Fire		ACT	Transitory Record: Maintain while active or until data is transferred to a new tracking system.
13-01-05	Policies & Procedures	Includes interoffice procedures and directives from the Fire Chief. Maintained in Lexipol.	Fire		P	GC 34090: 2 year minimum requirement. State of California Guidelines; Permanent, no citation given.
13-01-06	Internal Investigations	Includes complaints about fire personnel and associated investigations.	Fire		AT+6	GC 12946: Until resolved. 29 CFR 1602.14: 1 year after action/change. State of California Guidelines: 2 years after termination for general employees, 5 years after termination for safety employees. Administrative Decision: Maintain investigations for 6 years after termination to follow the personnel file retention period.
13-01-07	Strike Team Activities	Used to submit forms for reimbursement from the State.	Fire		CY+4	GC 34090: 2 year minimum requirement. CCP 337: Statute of limitations of 4 years.
13-01-08	Ride Alongs	Includes a waiver form for ride alongs.	Fire		CY+3	CCP 340.5: Healthcare providers is 3 years after occurrence or 1 year after the patient discovers the injury, whichever comes first. CCP 340.8: Exposure to hazardous substances: 2 years after exposure, or 2 years after patient discovers injury, whichever is later. 8 CCR 3203(b)(1): Injury & Illness Prevention Program inspection records, maintain at least 1 year.
13-01-09	Daily Activity Logs	Maintained in both paper and electronic. Includes activities tracked for the day by the Captain.	Fire		CY+2	GC 34090: 2 year minimum requirement. State of California Guidelines: Current year plus 2 years for various daily logs.
13-01-10	Daily Time Sheets	Completed by staff to show what projects or staff they work with daily.	Fire		CY+6	GC 34090: 2 year minimum requirement. 29 CFR 516.2: Maintain. 29 CFR 516.6: 2 years. R&T 19530: 3 years after tax return due. R&T 19704: 6 year statute of limitations. LC 1174: 2 years after pay period. 26 CFR 31.6001-1: 4 years after tax return due. 29 USC 255(a): 2 to 3 years statute of limitations for minimum wages. State of California Guidelines: 6 years after audit.

13-00-00 FIRE SERVICES

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Series Code	Series Name	Description of Documents, As Needed	Office of Record	Special Attributes	Total Retention	Citations & Legal Basis ©
13-01-11	BBQ Permits	Normally a one day permit for Inground BBQ.	Fire		AE+2	GC 34090: 2 year minimum requirement. State of California Guidelines: Current year plus 2 years for Temporary Use Permits.
13-01-12	Grant Applications & Agreements		Fire		APP+5	29 CFR 97.36(f)(11): 3 years after final payment. 29 CFR 97.42(b): 3 years after final payment. 2 CFR 200.334: 3 years after final expenditure report for federal grants. 24 CFR 570.502(a)(7)(i)(a): Deeds/CDBG activities, 4 years after closure of loan. State of California Guidelines: 5 years after grant closure. *State recommends referring to grant application close-out procedures, if any.
13-02-00	Fire Suppression & Equipment					
13-02-01	General Information & Administration	Includes general subject information, reports and reference documents relating to the record group, but not associated with a specific record series already in the group.	City-wide		AR	Administrative Record: Review annually for relevance to current subject matter or projects, inclusion in an associated record series, or creation of a new record series.
13-02-02	Fire Investigations	Non-arson investigations. Presumed arson incidents investigated by Police or the County.	Fire		AC+3	CCP 338: 3 year statute of limitations for action.
13-02-03	Incident Report Request	Includes requests for incident reports.	Fire		AC+2	GC 34090: 2 year minimum requirement. State of California Guidelines: 2 years after completion.
13-02-04	Personal Protective Clothing & Equipment Inspections	Annual tests for all personal protective clothing and equipment.	Fire		CY+10	GC 34090: 2 year minimum requirement. CCP 340.5: Healthcare providers: 3 years after occurrence or 1 year after the patient discovers the injury, whichever comes first. CCP 340.8: Exposure to hazardous substances: 2 years after exposure, or 2 years after patient discovers injury, whichever is later. 8 CCP 3203(b)(1): Injury & Illness Prevention Program inspection records, maintain at least 1 year. Administrative Decision: Possibility of defending an equitable indemnity claim up to 5 years and 10 years for the life of the equipment.
13-02-05	SCBA Fit & Flow Test	Annual tests for both person and unit.	Fire		P	8 CCR 3203: IIPP training, at least 1 year. State of California Guidelines: 2 years after superseded for training materials. Individual training information maintained by employee is retained for termination/separation plus 2 years, per State of California Guidelines. Administrative Decision: Permanent for long term potential medical issues and varying retention periods of the citations.
13-02-06	Hose Testing Records		Fire		CY+2	GC 34090: 2 year minimum requirement. State of California Guidelines: Current year plus 2 years for equipment and gear logs.

13-00-00 FIRE SERVICES

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Series Code	Series Name	Description of Documents, As Needed	Office of Record	Special Attributes	Total Retention	Citations & Legal Basis ©
13-02-07	Ladder Testing		Fire		CY+2	GC 34090: 2 year minimum requirement State of California Guidelines: Current year plus 2 years for equipment and gear logs.
13-02-08	Fresh Air Compressor / SCBA Fill Station Inspections	Inspection by an outside company with resulting certificate of compliance.	Fire		P	GC 34090: 2 year minimum requirement. CCP 340.5: Healthcare providers: 3 years after occurrence or 1 year after the patient discovers the injury, whichever comes first. CCP 340.8: Exposure to hazardous substances: 2 years after exposure, or 2 years after patient discovers injury, whichever is later. State of California Guidelines: Current year plus 2 years for equipment and gear logs. Administrative Decision: Permanent for long term potential medical issues and varying retention periods of the citations.
13-02-09	Daily Vehicle Inspection Log	Inspection of vehicles by drivers prior to driving. Required by the DOT. Includes safety equipment, liquid levels, tire condition, appearance, operations, lights and other aspects. Through Vector Solutions.	Fire		CY+2	GC 34090: 2 year minimum requirement. State of California Guidelines: 2 years plus the current year.
13-03-00	Emergency Medical Services					
13-03-01	General Information & Administration	Includes general subject information, reports and reference documents relating to the record group, but not associated with a specific record series already in the group.	City-wide		AR	Administrative Record: Review annually for relevance to current subject matter or projects, inclusion in an associated record series, or creation of a new record series.
13-03-02	Patient Care Reports	Includes refusal of care and the patient care report. Produced and maintained digitally in ImageTrend software system since 2016.	Fire	C	AC+7 *	GC 34090: 2 year minimum requirement. CCP 340.5: Healthcare providers: 3 years after occurrence or 1 year after the patient discovers the injury, whichever comes first. CCP 340.8: Exposure to hazardous substances: 2 years after exposure, or 2 years after patient discovers injury, whichever is later. 22 CCR 70751: 7 years for patient records for adults, *2 years after 18th birthday for unemancipated minors.
13-03-03	Narcotic Administration Log	Log of administration of narcotics and distribution of remaining narcotics. Monthly log.	Fire		AC+5	GC 34090: 2 year minimum requirement. CCP 340.5: Healthcare providers: 3 years after occurrence or 1 year after the patient discovers the injury, whichever comes first. Administrative Decision: Possibility of defending an equitable indemnity claim up to 5 years.

13-00-00 FIRE SERVICES

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Series Code	Series Name	Description of Documents, As Needed	Office of Record	Special Attributes	Total Retention	Citations & Legal Basis ©
13-03-04	Paramedic Check Sheets	Forms used by paramedics to document equipment checks, medication inventories, ordering supplies. Three reports: Daily, monthly, medical supply order forms. Stored in Vector CheckIT since 2022.	Fire		AC+5	GC 34090: 2 year minimum requirement CCP 340.5: Healthcare providers: 3 years after occurrence or 1 year after the patient discovers the injury, whichever comes first. CCP 340.8: Exposure to hazardous substances: 2 years after exposure, or 2 years after patient discovers injury, whichever is later. Administrative Decision: Possibility of defending an equitable indemnity claim up to 5 years.
13-03-05	EMT-/E/MT-Basic Certification & Paramedic License Cards	Certification records and continued education records to validate requirements. Maintained in Vector Solutions since 2022. Department is a continuing education provider.	Fire	C	AS+2	GC 34090: 2 year minimum requirement State of California Guidelines: 2 years after termination/separation for certifications and designations.
13-04-00	Training					
13-04-01	General Information & Administration	Includes general subject information, reports and reference documents relating to the record group, but not associated with a specific record series already in the group.	City-wide		AR	Administrative Record: Review annually for relevance to current subject matter or projects. Inclusion in an associated record series, or creation of a new record series.
13-04-02	Training Materials & Schedules	Includes initial academy classes, hazmat training and other training classes.	Fire		AS+7	GC 34090: 2 year minimum requirement 29 CFR 1627.3(b), 1 year for training records. GC 12946: 4 years after termination. State of California Guidelines: Current year plus 7 years for non-safety training records. Current year plus 2 years for certificates and designations training.
13-04-03	Continuing Education Course Rosters		Fire		CY+7	GC 34090: 2 year minimum requirement. 29 CFR 1627.3(b): 1 year for training records. GC 12946: 4 years after termination. State of California Guidelines: Current year plus 7 years for non-safety training records. Current year plus 2 years for certificates and designations training.



CITY COUNCIL AGENDA REPORT

DATE:	JUNE 3, 2024	FILE I.D.:	STB300-17
SECTION:	CONSENT - RESOLUTIONS	DEPT.:	CITY MGR.
ITEM NO.:	2	PREPARER:	C. GRAVES
SUBJECT:	CONSIDER ADOPTION OF RESOLUTION NO. 24-3438 AUTHORIZING PLACEMENT OF LIENS ON CERTAIN PROPERTIES FOR DELINQUENT SEWER AND TRASH CHARGES		

REASON FOR CONSIDERATION: Staff has identified 171 sewer and trash accounts in the even-numbered-month billing cycle that are more than three billing periods delinquent. Pursuant to Montclair Municipal Code Chapter 1.12, these properties are subject to lien.

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

FISCAL IMPACT: Recoverable amount is \$58,597.42, plus \$3,420.00 for release of lien fees, plus \$8,550.00.00 in lien fees, for a total of \$70,567.42.

RECOMMENDATION: Staff recommends the City Council adopt Resolution No. 24-3438 authorizing placement of liens on certain properties for delinquent sewer and trash charges.

RESOLUTION NO. 24-3438

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 171 sewer and/or trash accounts on which there are delinquencies in excess of 90 days; and

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

WHEREAS, the owners of these properties were notified on May 2, 2024, 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, June 3, 2024.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Montclair approves the placement of liens on the properties and in the amounts specified in Exhibit A, entitled *Report of Delinquent Civil Debts - June 2024*, attached hereto.

BE IT FURTHER RESOLVED that the 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, 2024.

Mayor

ATTEST:

City Clerk

I, Andrea M. Myrick, City Clerk of the City of Montclair, DO HEREBY CERTIFY that Resolution No. 24-3438 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, 2024, and that it was adopted by the following vote, to-wit:

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

Andrea M. Myrick
City Clerk

Exhibit A to Resolution No. 24-3438
Report of Delinquent Civil Debts - June 2024

Street No.	Street	Account Type	Delinquency	Lien Fee	Release of Lien Fee	Total Lien Amount
11141	Ada Avenue	Residential	320.66	50.00	20.00	390.66
11225	Ada Avenue	Residential	335.14	50.00	20.00	405.14
11141	Amherst Avenue	Residential	335.14	50.00	20.00	405.14
10532	Arabian Place	Residential	314.30	50.00	20.00	384.30
5009	Arrow Hwy	Commercial	314.44	50.00	20.00	384.44
5001	Arrow Hwy Unit A	Residential	534.52	50.00	20.00	604.52
4624	Bandera Street	Multifamily	600.56	50.00	20.00	670.56
4667	Bandera Street	Residential	389.71	50.00	20.00	459.71
4860	Bandera Street	Multifamily	284.44	50.00	20.00	354.44
5069	Bandera Street	Residential	345.42	50.00	20.00	415.42
5161	Bandera Street	Multifamily	535.52	50.00	20.00	605.52
5207	Bandera Street	Residential	372.38	50.00	20.00	442.38
5211	Bandera Street	Residential	349.55	50.00	20.00	419.55
5215	Bandera Street	Residential	299.55	50.00	20.00	369.55
5648	Bandera Street	Residential	328.27	50.00	20.00	398.27
4432-34	Bandera Street	Multifamily	284.44	50.00	20.00	354.44
10145	Bel Air Avenue	Residential	335.14	50.00	20.00	405.14
10205	Bel Air Avenue	Residential	326.21	50.00	20.00	396.21
10283	Bel Air Avenue	Residential	409.95	50.00	20.00	479.95
10551	Belgian Place	Residential	235.82	50.00	20.00	305.82
5218	Belvedere Way	Residential	233.48	50.00	20.00	303.48
5219	Belvedere Way	Residential	356.33	50.00	20.00	426.33
5196	Benito Street	Commercial	345.59	50.00	20.00	415.59
5206	Benito Street	Commercial	351.33	50.00	20.00	421.33
10376	Benson Avenue	Multifamily	205.60	50.00	20.00	275.60
4532	Bodega Court	Residential	416.25	50.00	20.00	486.25
11339	Brunswick Lane	Residential	351.87	50.00	20.00	421.87
10234	Camulos Avenue	Residential	335.14	50.00	20.00	405.14
10259	Camulos Avenue	Residential	354.84	50.00	20.00	424.84
4912	Canoga Street	Residential	221.53	50.00	20.00	291.53
4924	Canoga Street	Residential	335.14	50.00	20.00	405.14
4948	Canoga Street	Residential	326.21	50.00	20.00	396.21
4912	Carlton Street	Residential	371.19	50.00	20.00	441.19
11132	Carriage Avenue	Residential	314.17	50.00	20.00	384.17
11168	Carriage Avenue	Residential	209.98	50.00	20.00	279.98
11178	Carrillo Avenue	Residential	335.14	50.00	20.00	405.14
4337	Clair Street	Residential	366.12	50.00	20.00	436.12
4303	Clydesdale Way	Residential	339.78	50.00	20.00	409.78
10164	Coalinga Avenue	Residential	335.14	50.00	20.00	405.14
10231	Coalinga Avenue	Residential	335.06	50.00	20.00	405.06
10995	Coalinga Avenue	Residential	334.73	50.00	20.00	404.73
11148	Coalinga Avenue	Residential	335.14	50.00	20.00	405.14
10192	Columbine Avenue	Residential	361.82	50.00	20.00	431.82

Exhibit A to Resolution No. 24-3438
Report of Delinquent Civil Debts - June 2024

Street No.	Street	Account Type	Delinquency	Lien Fee	Release of Lien Fee	Total Lien Amount
5273	Cordera Street	Residential	220.21	50.00	20.00	290.21
11362	Cumberland Lane	Residential	351.62	50.00	20.00	421.62
11370	Cumberland Lane	Residential	207.94	50.00	20.00	277.94
11373	Cumberland Lane	Residential	351.93	50.00	20.00	421.93
11438	Cumberland Lane	Residential	382.33	50.00	20.00	452.33
11469	Cumberland Lane	Residential	351.88	50.00	20.00	421.88
11333	Dartmouth Lane	Residential	351.62	50.00	20.00	421.62
10187	Del Mar Avenue	Residential	470.09	50.00	20.00	540.09
10190	Del Mar Avenue	Residential	335.14	50.00	20.00	405.14
10236	Del Mar Avenue	Residential	335.14	50.00	20.00	405.14
4512	Donner Court	Residential	298.66	50.00	20.00	368.66
11159	Essex Avenue	Residential	335.14	50.00	20.00	405.14
4696	Evert Street	Residential	398.78	50.00	20.00	468.78
4705	Evert Street	Residential	335.14	50.00	20.00	405.14
4771	Evert Street	Residential	335.02	50.00	20.00	405.02
4789	Evert Street	Residential	352.82	50.00	20.00	422.82
5036	Evert Street	Residential	298.66	50.00	20.00	368.66
11460	Fairfax Lane	Residential	356.41	50.00	20.00	426.41
4219	Fauna Street	Residential	335.14	50.00	20.00	405.14
4244	Fauna Street	Residential	335.14	50.00	20.00	405.14
4256	Fauna Street	Residential	336.27	50.00	20.00	406.27
4291	Fauna Street	Residential	335.14	50.00	20.00	405.14
4432	Fauna Street	Residential	270.75	50.00	20.00	340.75
4703	Fauna Street	Residential	335.14	50.00	20.00	405.14
4774	Fauna Street	Senior	420.90	50.00	20.00	490.90
4852	Fauna Street	Residential	335.14	50.00	20.00	405.14
5420	Fauna Street	Residential	334.73	50.00	20.00	404.73
8936	Felipe Avenue	Residential	340.75	50.00	20.00	410.75
10260	Felipe Avenue	Residential	335.00	50.00	20.00	405.00
8919-21	Felipe Avenue	Multifamily	670.28	50.00	20.00	740.28
8947-49	Felipe Avenue	Multifamily	284.44	50.00	20.00	354.44
4660	Flora Street	Senior	534.89	50.00	20.00	604.89
4932	Flora Street	Residential	368.45	50.00	20.00	438.45
5083	Flora Street	Senior	264.33	50.00	20.00	334.33
5370	Flora Street	Residential	470.75	50.00	20.00	540.75
10253	Fremont Avenue	Residential	335.14	50.00	20.00	405.14
10287	Fremont Avenue	Residential	366.09	50.00	20.00	436.09
10945	Fremont Avenue	Multifamily	201.68	50.00	20.00	271.68
11049	Fremont Avenue	Residential	335.69	50.00	20.00	405.69
11175	Fremont Avenue	Residential	298.66	50.00	20.00	368.66
10365-67	Fremont Avenue	Multifamily	284.44	50.00	20.00	354.44
10111	Galena Avenue	Residential	325.56	50.00	20.00	395.56
10140	Galena Avenue	Residential	298.81	50.00	20.00	368.81

Exhibit A to Resolution No. 24-3438
Report of Delinquent Civil Debts - June 2024

Street No.	Street	Account Type	Delinquency	Lien Fee	Release of Lien Fee	Total Lien Amount
4155	Grand Avenue	Residential	241.15	50.00	20.00	311.15
5091	Grand Avenue	Residential	331.23	50.00	20.00	401.23
3792	Hampton Drive	Residential	351.87	50.00	20.00	421.87
11335	Hartford Lane	Residential	201.33	50.00	20.00	271.33
10127	Helena Avenue	Residential	298.66	50.00	20.00	368.66
4103	Howard Street	Residential	335.14	50.00	20.00	405.14
4341	Howard Street	Residential	335.31	50.00	20.00	405.31
4705	Howard Street	Residential	351.87	50.00	20.00	421.87
4992	Howard Street	Residential	234.88	50.00	20.00	304.88
5027	Howard Street	Residential	284.44	50.00	20.00	354.44
10209	Kimberly Avenue	Residential	319.76	50.00	20.00	389.76
10244	Kimberly Avenue	Residential	335.38	50.00	20.00	405.38
11065	Kimberly Avenue	Residential	335.14	50.00	20.00	405.14
11175	Kimberly Avenue	Residential	366.41	50.00	20.00	436.41
4671	Kingsley Street	Multifamily	284.44	50.00	20.00	354.44
4909	Kingsley Street	Residential	470.75	50.00	20.00	540.75
4921	Kingsley Street	Residential	341.99	50.00	20.00	411.99
4949	Kingsley Street	Residential	304.66	50.00	20.00	374.66
4977	Kingsley Street	Residential	311.12	50.00	20.00	381.12
5476	Kingsley Street	Residential	382.02	50.00	20.00	452.02
5486	Kingsley Street	Residential	325.05	50.00	20.00	395.05
5141-43	Kingsley Street	Multifamily	284.44	50.00	20.00	354.44
5015	Laurel Street	Residential	353.88	50.00	20.00	423.88
10360-62	Lehigh Avenue	Multifamily	670.28	50.00	20.00	740.28
10370-72	Lehigh Avenue	Multifamily	632.33	50.00	20.00	702.33
4414	Mane Street	Residential	365.24	50.00	20.00	435.24
4428	Mane Street	Residential	327.64	50.00	20.00	397.64
4595	Mane Street	Residential	335.14	50.00	20.00	405.14
4696	Mane Street	Residential	405.11	50.00	20.00	475.11
4839	Mane Street	Residential	335.14	50.00	20.00	405.14
4756	Manzanita Street	Residential	276.45	50.00	20.00	346.45
11154	Marion Avenue	Residential	257.02	50.00	20.00	327.02
10189	Mills Avenue	Residential	451.47	50.00	20.00	521.47
10231	Mills Avenue	Residential	335.14	50.00	20.00	405.14
10279	Mills Avenue	Residential	373.68	50.00	20.00	443.68
3796	Millstone Lane	Residential	307.63	50.00	20.00	377.63
5239	Monte Verde Street	Residential	335.14	50.00	20.00	405.14
11313	Monte Vista Avenue	Residential	252.90	50.00	20.00	322.90
10290	Monte Vista Avenue	Senior	343.65	50.00	20.00	413.65
10163	Oak Glen Avenue	Senior	299.61	50.00	20.00	369.61
10604	Oak Glen Avenue	Residential	236.99	50.00	20.00	306.99
4595	Oakdale Street	Residential	335.14	50.00	20.00	405.14
4909	Orchard Street	Residential	346.25	50.00	20.00	416.25

Exhibit A to Resolution No. 24-3438
Report of Delinquent Civil Debts - June 2024

Street No.	Street	Account Type	Delinquency	Lien Fee	Release of Lien Fee	Total Lien Amount
5171	Orchard Street	Senior	299.96	50.00	20.00	369.96
5422	Orchard Street	Residential	335.14	50.00	20.00	405.14
5471	Orchard Street	Residential	201.55	50.00	20.00	271.55
10563	Palomino Circle	Residential	330.28	50.00	20.00	400.28
5136 N	Plaza Lane	Commercial	798.65	50.00	20.00	868.65
10225	Poulsen Avenue	Senior	491.34	50.00	20.00	561.34
10260	Poulsen Avenue	Senior	279.72	50.00	20.00	349.72
10206	Pradera Avenue	Residential	335.14	50.00	20.00	405.14
10833	Ramona Avenue	Residential	403.51	50.00	20.00	473.51
4574	Rawhide Street	Residential	328.20	50.00	20.00	398.20
4668	Rawhide Street	Residential	349.55	50.00	20.00	419.55
8981	Rose Avenue	Commercial	221.57	50.00	20.00	291.57
10222-24	Rose Avenue	Multifamily	284.44	50.00	20.00	354.44
4621	Saddleback Street	Senior	456.33	50.00	20.00	526.33
4675	Saddleback Street	Residential	309.33	50.00	20.00	379.33
5049	Saddleback Street	Residential	417.76	50.00	20.00	487.76
5155	Saddleback Street	Residential	351.68	50.00	20.00	421.68
10973	San Juan Way	Residential	314.17	50.00	20.00	384.17
11032	San Juan Way	Residential	268.37	50.00	20.00	338.37
11020	San Pasqual Avenue	Residential	335.14	50.00	20.00	405.14
11073	San Pasqual Avenue	Residential	203.06	50.00	20.00	273.06
11083	San Pasqual Avenue	Residential	366.09	50.00	20.00	436.09
10183	Santa Anita Avenue	Residential	366.11	50.00	20.00	436.11
10204	Santa Anita Avenue	Residential	335.29	50.00	20.00	405.29
10221	Santa Anita Avenue	Residential	335.16	50.00	20.00	405.16
10170	Saratoga Avenue	Residential	261.16	50.00	20.00	331.16
10191	Saratoga Avenue	Residential	216.58	50.00	20.00	286.58
10971	Shetland Avenue	Residential	345.38	50.00	20.00	415.38
5538	Shirley Lane	Residential	349.55	50.00	20.00	419.55
11011	Stallion Avenue	Residential	335.19	50.00	20.00	405.19
4779	State Street	Residential	349.38	50.00	20.00	419.38
10289	Tudor Avenue	Residential	335.14	50.00	20.00	405.14
10236	Vernon Avenue	Residential	335.14	50.00	20.00	405.14
5555	Vernon Court	Residential	336.67	50.00	20.00	406.67
10438	Via Palma	Residential	324.44	50.00	20.00	394.44
11053	Wesley Avenue	Residential	335.14	50.00	20.00	405.14
11302	Wesley Avenue	Residential	456.96	50.00	20.00	526.96
11024	Whitewater Avenue	Senior	398.18	50.00	20.00	468.18
11178	Whitewater Avenue	Residential	335.14	50.00	20.00	405.14
11263	Whitewater Avenue	Residential	310.44	50.00	20.00	380.44
4515	Yosemite Drive	Residential	335.52	50.00	20.00	405.52
10472	Yosemite Drive	Residential	372.42	50.00	20.00	442.42
			\$ 58,597.42	\$ 8,550.00	\$ 3,420.00	\$ 70,567.42

MINUTES OF THE REGULAR MEETING OF THE PUBLIC WORKS COMMITTEE HELD ON THURSDAY, JANUARY 18, 2024, AT 4:01 P.M. IN THE THEATER CONFERENCE ROOM, 9955 FREMONT AVENUE, MONTCLAIR, CALIFORNIA

I. CALL TO ORDER

Chair Johnson called the meeting to order at 4:01 p.m.

II. ROLL CALL

Present: Mayor Pro Tem Johnson (Chair); Council Member Martinez (Committee Member); City Manager Starr; Director of Economic Development Agency Fuentes; Director of Public Works/City Engineer Heredia, Executive Director of Engineering/Major Projects Manager Hoerning; Director of Community Development Diaz, Project Manager Ortega, Police Chief Reed

Absent: None

III. APPROVAL OF MINUTES — None

IV. PUBLIC COMMENT — None

V. PUBLIC WORKS DEPARTMENT UPDATES/ITEMS

A. OPERATIONS

1. MAINTENANCE ACTIVITIES

An Activities Report for October, November, and December 2023 was included with the agenda. There were no questions or issues with the report.

There were more than 100 service requests than the usual average in October. The City received a new CNG Combo Sewer Truck which was backordered for 18 months and purchased for the cost of \$591,000. Altogether the City Council made a \$750K investment to purchase heavy equipment and vehicles. Public Works assisted with the Halloween event, the Holiday Ornaments, Christmas Decoration, and Veteran's Day.

- 2. ADDITIONAL ITEMS —** A flashing stop sign was recently installed on Vernon and Orchard. An illegal 55 gallon ground spill was cleaned up on Fremont Avenue & Mission Boulevard.

B. FACILITIES

1. MAINTENANCE ACTIVITIES

A Facilities Activities Report for October, November, and December 2023 was included with the agenda. There were no questions or issues with the report. Inspections for AC and heating units will begin soon.

C. ENGINEERING DIVISION

1. Saratoga Park Update

Director of Public Works/City Engineer Heredia reported that the City Council approved the plans and they can begin to move on to the design of the facility based on comments received. It will take one year for designs to be completed; three to four months for advertising; and one and a half years for construction.

2. City Library & Fire Stations Remodel Updates

Director of Public Works/City Engineer Heredia reported the outdoor reading room will be remodeled. The existing restrooms at the library will be brought to Code to become ADA compliant, and two additional ADA compliant restrooms will be added.

There will be a meeting in two weeks to discuss the layout of the firefighter dorms.

VI. POLICE DEPARTMENT UPDATE/ITEMS — None

VII. COMMUNITY DEVELOPMENT DEPARTMENT PROJECT UPDATES/ITEMS

Director of Community Development Diaz reported the City is focused on completing the State mandated ordinances, hiring a new code enforcement officer, and have planned to recruit another planner.

VIII. CAPITAL PROJECT UPDATES

A. LOCAL PROJECTS

1. Reeder Ranch Park

Project Manager Roberto Ortega reported that the project is 50% completed. Construction began last summer and is set to finish mid-April. Landscaping will start soon.

2. Sunset Park

Executive Director of Engineering Hoerning reported that the park is still under construction. Plans for underground utilities are in progress and there is a scheduled completion date set before June 2024.

3. Alleyway Improvements

Director of Public Works Heredia reported that the City received five bids on January 16th and a decision will be made at the next City Council Meeting.

4. Arrow Highway & Fremont Avenue

Executive Director of Engineering Hoerning reported that a Kick-off meeting is set for February 5, 2024 and the submittal phase is in progress. There will be restrictions throughout the entire project process which will last 70 calendar days.

B. REGIONAL PROJECTS

1. I-10 Corridor Project

City Manager Starr reported that the project's completion date was set to be extended to mid-Summer 2024 over multiple change orders submitted by the contractor which has amounted to higher costs than initially projected. Residents can expect a 55-hour lane closure to work on inside lanes between January 26th and January 29th around Mills and Monte Vista Avenue.

IX. COMMITTEE AND CITY MANAGER ITEMS

City Manager Starr reported that the easements for the **San Antonio Creek Trail Project** will be brought before the City Council to enter into agreements with property owners who will sign easements and resolve right-of-way issues along the length of the trail.

He noted that the **Foothill Gold Line** project is stalled because the office of Assembly Member Rodriguez refused to carry out legislation citing that the transfer of property to the City violates the State Constitution as a gift of public funds. The City of Montclair has refuted that claim with sufficient evidence, however the property has since been put up for auction as excess land. Conversations with the State are currently ongoing and the City of Montclair will seek a grant to purchase the property.

City Manager Starr lastly noted that rulings backed by the U.S. Supreme Court may affect how all cities approach the homeless crisis.

X. ADJOURNMENT

At 4:31 p.m., Chair Johnson adjourned the meeting of the Public Works Committee.

Submitted for Public Works Committee approval,



Uhura Mckenzie
Transcribing Secretary

**MINUTES OF THE MEETING OF THE MONTCLAIR
PERSONNEL COMMITTEE HELD ON MONDAY,
MAY 6, 2024, AT 6:37 P.M. IN THE CITY
ADMINISTRATIVE OFFICES, 5111 BENITO STREET,
MONTCLAIR, CALIFORNIA**

I. CALL TO ORDER

Mayor Pro Tem Johnson called the meeting to order at 6:37 p.m.

II. ROLL CALL

Present: Mayor Pro Tem Johnson, Council Member Martinez, City Manager Starr, and Assistant City Manager/Director of Human Services Richter

III. APPROVAL OF MINUTES

A. Minutes of the Regular Personnel Committee Meeting of April 15, 2024.

Moved by Council Member Martinez, seconded by Mayor Pro Tem Johnson, and carried unanimously to approve the minutes of the Personnel Committee meeting on April 15, 2024.

IV. PUBLIC COMMENT - None

V. CLOSED SESSION


At 6:38 p.m., the Personnel Committee went into Closed Session regarding personnel matters related to appointments, resignations/terminations, and evaluations of employee performance.

At 6:57 p.m., the Personnel Committee returned from Closed Session. Mayor Pro Tem Johnson stated that no announcements would be made at this time.

VI. ADJOURNMENT

At 6:57 p.m., Mayor Pro Tem Johnson adjourned the Personnel Committee.

Submitted for Personnel Committee approval,



Edward C. Starr
City Manager

MINUTES OF THE REGULAR JOINT MEETING OF THE MONTCLAIR CITY COUNCIL, SUCCESSOR AGENCY AND MONTCLAIR HOUSING CORPORATION BOARDS, MONTCLAIR HOUSING AUTHORITY COMMISSION, AND MONTCLAIR COMMUNITY FOUNDATION BOARD HELD ON MONDAY, MAY 6, 2024 AT 7:00 P.M. IN THE CITY COUNCIL CHAMBERS, 5111 BENITO STREET, MONTCLAIR, CALIFORNIA

I. CALL TO ORDER

Mayor/Chair Dutrey called the meeting to order at 7:00 p.m.

II. INVOCATION

Montclair Police Department Chaplain Vicki Brobeck gave the invocation.

III. PLEDGE OF ALLEGIANCE

Mayor Pro Tem/Vice Chair Johnson led meeting participants in the Pledge.

IV. ROLL CALL

Present: Mayor/Chair Dutrey; Mayor Pro Tem/Vice Chair Johnson; Council Members/Directors Ruh, Martinez, and Lopez

City Manager/Executive Director Starr; Assistant City Manager/Director of Human Services Richter; Director of Finance Kulbeck; Director of Public Works/City Engineer Heredia; Police Chief Reed; Fire Chief Pohl; City Attorney Robbins; City Clerk Myrick

V. PRESENTATIONS — None

VI. PUBLIC COMMENT

- **Ruby Long**, Field Representative for **San Bernardino County Fourth District Supervisor Curt Hagman**, announced the Supervisor's Office is holding an Expungement and Job Fair event at Terminal 1 of the **Ontario International Airport** on Wednesday, May 8, 2024, from 10:00 a.m. to 2:00 p.m.
- **Carolyn Raft**, Trustee, **West Valley Mosquito and Vector Control District**, reported that the Vector Control District has just released sterile male mosquitoes in order to reduce the population of mosquitoes.
- **Solomon Alexander**, a student at **International Polytechnic High School in Pomona**, advocated for providing Montclair teens with more options for fitness and presented a petition signed by 99 members of the community in support of adding fitness equipment to Alma Hofman Park.
- **Paul Kielsmeier**, resident, thanked Mayor Dutrey for providing a proclamation for the community prayer event held on National Day of Prayer. He added he supports the City Council's decision to adopt Resolution No. 24-3433 last week to maintain focus on matters of local concern.

VII. PUBLIC HEARINGS

A. **Consider Adoption of Resolution No. 24-3435 Amending the Master User Fee Schedule**

Mayor Dutrey opened the public hearing and invited comments from the public. There being no one in the audience wishing to speak, Mayor Dutrey closed the public hearing and returned the matter to the City Council for consideration.

Council Member Lopez received clarification on one-time inspection fees and the definition of assemblies.

ACTION - Public Hearings - Item A	
ACTING:	City Council
MOTION:	Adopt Resolution No. 24-3435
MADE BY: SECOND BY:	Council Member Ben Lopez Mayor Pro Tem Johnson
AYES: NOES: ABSTAIN: ABSENT:	Lopez, Martinez, Ruh, Johnson, Dutrey None None None
RESULT:	Motion carried 5-0.

VIII. CONSENT CALENDAR

ACTION - Consent Calendar	
ACTING:	City Council Successor Agency Board Montclair Housing Corporation Board Montclair Housing Authority Commissioners Montclair Community Foundation Board
DISCUSSION:	Item C-5, C-8
MOTION:	Pull Item C-4 for separate action, and approve the remainder of the Consent Calendar as presented.
MADE BY: SECOND BY:	Council Member/Director Lopez Mayor Pro Tem/Vice Chair Johnson
AYES: NOES: ABSTAIN: ABSENT:	Lopez, Martinez, Ruh, Johnson, Dutrey None None None
RESULT:	Motion carried 5-0.

A. Approval of Minutes

1. Special Meeting — April 15, 2024

ACTION - Consent Calendar - Item A-1	
ACTING:	City Council
RESULT:	Approved on Consent Calendar; motion carried 5-0.

2. Regular Joint Meeting — April 15, 2024

ACTION - Consent Calendar - Item A-2	
ACTING:	City Council Successor Agency Board Montclair Housing Corporation Board Montclair Housing Authority Commissioners Montclair Community Foundation Board
RESULT:	Approved on Consent Calendar; motion carried 5-0.

B. Administrative Reports

1. Consider Approval of City Warrant Register and Payroll Documentation

ACTION – Consent Calendar – Item B-1	
ACTING:	City Council
RESULT:	Approved on Consent Calendar; motion carried 5-0.

2. Consider Receiving and Filing the Montclair Police Department 2023-24 Military Equipment Annual Report Pursuant to GC §7072

Consider Authorizing the Scheduling of a Follow-up Police Department Community Engagement Meeting on Thursday, May 9, 2024, at 5:00 p.m. in the Police Department’s Emergency Operations Center Community Room at 4870 Arrow Highway, Montclair

ACTION – Consent Calendar – Item B-2	
ACTING:	City Council
RESULT:	Approved on Consent Calendar; motion carried 5-0.

3. Consider Declaring Certain City Property as Surplus and Available for Auction, Parts, or Destruction

ACTION – Consent Calendar – Item B-3	
ACTING:	City Council
RESULT:	Approved on Consent Calendar; motion carried 5-0.

C. Agreements

1. Consider Approval of Agreement No. 24-28 with Anderson Air Conditioning, L.P., to Replace Two 25-Ton HVAC Condensing Units at Fire Station No. 151, Subject to Any Revisions Deemed Necessary by the City Attorney

ACTION – Consent Calendar – Item C-1	
ACTING:	City Council
RESULT:	Approved on Consent Calendar; motion carried 5-0.

2. Consider Approval of Agreement No. 24-29 with Ontario-Montclair School District to Support the Montclair After-School Program at Various Sites for the 2024-2025 School Year

ACTION – Consent Calendar – Item C-2	
ACTING:	City Council
RESULT:	Approved on Consent Calendar; motion carried 5-0.

3. Consider Approval of Agreement No. 24-30 and Amendment No. 1 to Agreement No. 24-30 with Ontario-Montclair School District to Support the Montclair After-School Summer Program at Four School Sites

ACTION – Consent Calendar – Item C-3	
ACTING:	City Council
RESULT:	Approved on Consent Calendar; motion carried 5-0.

5. **Consider Approval of Agreement No. 24-32 with Hinderliter, de Llamas and Associates to Provide Services Related to the Development of Ordinances Regulating Commercial Cannabis Activities, Subject to Any Revisions Deemed Necessary by the City Attorney**

Consider Approval of Agreement No. 24-33 with Cole Huber Attorneys LLP for Cannabis Legal Consulting Services, Subject to Any Revisions Deemed Necessary by the City Attorney

Carolyn Raft, resident, stated she is happy to see this item on the agenda due to the voters' approval of recreational cannabis sales in the City.

Xavier Mendez, resident, congratulated the City on receiving the grant to move forward with the process of allowing the cannabis industry into Montclair.

Frank Sanchez, STIIIZY, expressed support for the contracts and stated he looks forward to applying for a license in the future.

Bill Kaufman updated the City Council on his prospective cannabis business partnering with Culture Cannabis, which runs 13 dispensaries throughout the state. He stated he does not think it is necessary to pay attorneys or consultants when the City can use other cities' cannabis regulations as a template.

Council Member Lopez stated he supports simple rather than extensive regulations and expressed concern that Agreement No. 24-32 does not provide for a contract end date outside of the request for termination by either party.

City Attorney Robbins assured Council Member Lopez that language has already been added requiring the contract to automatically terminate one year after the effective date.

Council Member Martinez stated she supported the originally proposed regulations provided by staff in 2019 because they extensively addressed residents' concerns and asked why new ordinances need to be drafted.

Mayor Dutrey noted with new cannabis-related laws and legal challenges, and other priorities arising for staff to address, the City moved forward with adopting the tax aspect while taking a wait-and-see approach.

City Manager Starr added the originally proposed ordinances are now outdated and the industry has evolved. He advised some aspects from the original draft ordinance may be incorporated into the City's proposed regulations such as implementing a legal defense fund into which cannabis licensees must pay.

Mayor Pro Tem Johnson stated there is voter and staff support for allowing cannabis industry into Montclair for revenues, and she will be supportive as long as the restricted zoning aspect of the original ordinances remains.

Council Member Lopez added he would support the concept of applicants donating a percentage of profits to local community benefits or nonprofits.

ACTION - Consent Calendar - Item C-5	
ACTING:	City Council
RESULT:	Approved on Consent Calendar; motion carried 5-0.

6. **Consider Approval of Agreement No. 24-34 Amending Agreement No. 22-93 with Records Control Services, Inc. for Records Management Consulting Services, Subject to Any Revisions Deemed Necessary by the City Attorney**

ACTION - Consent Calendar - Item C-6	
ACTING:	City Council
RESULT:	Approved on Consent Calendar; motion carried 5-0.

7. **Consider Approval of Agreement No. 24-35, Amendment No. 2 to Agreement No. 21-42 with the San Bernardino County Department of Aging and Adult Services to Accept Additional Funding to Support Senior Center Activities and the Senior Transportation Program**

ACTION - Consent Calendar - Item C-7	
ACTING:	City Council
RESULT:	Approved on Consent Calendar; motion carried 5-0.

8. **Consider Approval of Agreement No. 24-36 with CASC Engineering and Consulting for Sanitary Sewer Order Consulting Services, Subject to Any Revisions Deemed Necessary by the City Attorney**

Xavier Mendez stated the City used to have in-house staff that performed this work.

ACTION - Consent Calendar - Item C-8	
ACTING:	City Council
RESULT:	Approved on Consent Calendar; motion carried 5-0.

D. Resolutions

1. **Consider Adoption of Resolution No. 24-3436 Authorizing the Submission of an Application for Grant Funds for the Urban and Community Forestry Grant Program of the California Department of Forestry and Fire Protection and Authorizing the Execution of Application-Related Documents by the City Manager or His Designee**

ACTION - Consent Calendar - Item D-1	
ACTING:	City Council
RESULT:	Approved on Consent Calendar; motion carried 5-0.

IX. PULLED CONSENT CALENDAR ITEMS

C. Agreements

4. **Consider Approval of Agreement No. 24-31 with Blais & Associates, Inc. for Grant Writing Services**

Consider Authorizing a \$75,000 Appropriation from the Contingency Reserve Fund for Costs Related to Agreement No. 24-31

Council Member Lopez stated he will abstain from voting, as he works with a competitor of Blais & Associates, Inc.

ACTION - Consent Calendar - Item C-4	
ACTING:	City Council
MOTION:	Approve Item C-4
MADE BY: SECOND BY:	Mayor Dutrey Mayor Pro Tem Johnson
AYES: NOES: ABSTAIN: ABSENT:	Martinez, Ruh, Johnson, Dutrey None Lopez None
RESULT:	Motion carried 4-0-1 (Lopez Abstained)

X. COMMUNICATIONS

A. Department Reports

1. Human Services Department — Upcoming Events

Assistant City Manager/Director of Human Services Richter shared details of the upcoming *Memorial Day Program* on Monday, May 27, at 6:00 p.m. in the City Hall Memorial Garden with refreshments following in the Senior Center, and the *Country Fair Jamboree* taking place at Alma Hofman Park on Saturday, June 1, from 12:00 p.m. to 6:00 p.m.

B. City Attorney— None

C. City Manager/Executive Director

City Manager/Executive Director Starr advised many City parks have fitness equipment as part of planned upcoming improvements.

D. Mayor/Chair

1. Announcement of Three Vacancies on Community Activities Commission for Four-Year Terms from July 1, 2024, to June 30, 2028

Mayor Dutrey announced three vacancies on the Community Activities Commission with an application deadline of May 15.

2. Notice of Cancellation of May 20, 2024 Regular Joint Meeting

Mayor/Chair Dutrey announced the May 20, 2024 regular joint meeting is cancelled.

Mayor/Chair Dutrey commented as follows:

- He announced the following scheduled meetings:
 - Preliminary Budget Review Workshop on Thursday, June 20, 2024, at 6:00 p.m. in the City Council Chambers
 - Special Meeting to adopt the budget on Wednesday, June 26, 2024, at 6:00 p.m. in the City Council Chambers
- He recognized May for the following: Nurse's Day, Teacher Appreciation Day, Mother's Day, National Firefighters Memorial Day, National Peace Officers Memorial Day, Armed Forces Day, Memorial Day, Asian American and Pacific Islander Heritage Month, and Jewish American Heritage Month.
- He advised he recently attended a **League of California Cities'** legislative conference, and the **Southern California Associated Governments** annual conference last week. He also attended the *Montclair to College* graduation ceremony and the *Annual Bingo Bash* hosted by the **Senior Citizens Club** and the **Women's Club of Montclair**.

E. Council Members/Directors

1. Council Member/Director Lopez thanked Montclair Police Officers for keeping everyone safe at the last meeting.
2. Mayor Pro Tem/Vice Chair Johnson thanked Police Chaplains Vicki Brobeck, Josh Matlock, and Joe McTarsney for organizing an event for National Day of Prayer; promoted the upcoming **Montclair Chamber of Commerce** Networking Breakfast on May 9; and announced the Chamber's Police Officer Recognition Luncheon will be held on May 23, at the Canyon.
3. Council Member/Director Martinez expressed amazement at the number of *Montclair to College* graduates this year; stated she attended an awards ceremony for **Montclair High School** and was honored to present a scholarship to a student on behalf of the **Women's Club of Montclair**; and added the *Bingo Bash* event had a surprise visit from **Senator Susan Rubio**.

F. Committee Meeting Minutes

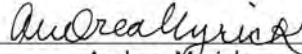
The following committee minutes were received and filed for informational purposes:

1. Personnel Committee - April 15, 2024

XI. ADJOURNMENT

At 8:23 p.m., the City Council, Successor Agency Board, Montclair Housing Corporation Board, Montclair Housing Authority Commission, and Montclair Community Foundation Board were adjourned.

Submitted for City Council/Successor Agency Board/Montclair Housing Corporation Board/Montclair Housing Authority Commission/Montclair Community Foundation Board approval,



Andrea Myrick,
City Clerk

**CITY OF MONTCLAIR
TREASURER'S REPORT
FOR THE MONTH ENDING**

April 30, 2024

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STATEMENT OF CASH AND INVESTMENT ACCOUNTS

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CITY OF MONTCLAIR
STATEMENTS OF COMPLIANCE WITH THE INVESTMENT POLICY
AND INVESTMENT STRATEGY

April 30, 2024

COMPLIANCE STATEMENT

The City has the following amount invested in various financial instruments. This conforms with the investment policy approved by the City Council.

Total Investments \$ 49,976,454

During the current month the City was in compliance with the internal control procedures set forth in the Investment Policy.

INVESTMENT STRATEGY FOR THE UPCOMING MONTH

During the upcoming month, surplus moneys will be invested in the Local Agency Investment Fund and other investments authorized in the Investment Policy. The City has sufficient monies available to meet expenditures during the next six month period.

CITY OF MONTCLAIR
STATEMENT OF CASH AND INVESTMENTS BY FUND
AS OF April 30, 2024

Fund	Beginning Balance	Receipts	Disbursements	Interfund Transfers	Ending Balance
General Fund	\$ (2,109,319.42)	\$ 5,178,392.51	\$ 3,797,711.35	\$ (4,776,664.29)	\$ (5,505,302.55) (1)
Gas Tax Fund	82,971.52	78,005.90	67,764.65	-	93,212.77 (2)
Road Maintenance - Section 2032	2,728,962.33	80,322.86	12,898.25	-	2,796,386.94
Measure J Fund	6,427,056.79	-	-	-	6,427,056.79
Traffic Safety	162,663.71	1,488.45	-	-	164,152.16
Disability Access Fund - Bus. License	59,677.50	972.00	-	-	60,649.50
Park Maintenance	(14,158.49)	3,332.31	4,004.66	-	(14,830.84)
Park Development	1,542,607.06	700.00	-	-	1,543,307.06
CDBG	(64,751.25)	14,516.62	6,751.73	-	(56,986.36) (2)
SB2 Planning Grant	-	-	-	-	- (2)
Air Quality Improvement Trust	39,240.56	-	-	-	39,240.56
Senior Nutrition Program	(74,178.85)	38,877.76	16,222.61	-	(51,523.70) (2)
American Rescue Plan	-	-	-	-	-
Forfeiture Fund - State	102,654.70	-	-	-	102,654.70
Proposition 30/SB 109	63,272.93	-	2,431.58	-	60,841.35
SB 509 Public Safety	111,011.30	40,232.00	134,231.41	241.84	17,253.73
Forfeiture Fund-Federal/DOJ	466,292.76	13,579.58	100,677.68	-	379,194.66
Asset Seizure Fund	3.99	0.18	-	-	4.17
Section 11489 Subfund	29,277.10	-	-	-	29,277.10
Fed Asset Forfeiture-Treasury	133,408.39	-	-	-	133,408.39
School District Grant Fund	71,496.00	-	-	-	71,496.00
State Supplemental Law Enforcement	144,647.32	-	42,196.51	-	102,450.81
Local Law Enforcement Block Gr	20,709.31	-	-	(241.84)	20,467.47
PC 1202.5 Crime Prevention	2,506.22	0.03	-	-	2,506.25
Recycling Grant Fund	113,336.96	5,688.00	1,723.33	-	117,281.63
Statewide Park Dev Grant	(0.32)	-	-	-	(0.32)
Homeless Housing Assist Preven	(55,653.07)	-	-	-	(55,653.07) (2)
LEAP Grant	1,273.50	25,281.38	-	-	26,554.88 (2)
Department of Cannabis Control	120,000.00	-	-	-	120,000.00 (2)
After School Program Fund	(163,009.24)	209,497.50	207,539.98	-	(161,051.72) (2)
City of Hope	1,290.78	-	-	-	1,290.78
Safety Dept. Grants	(11,599.45)	-	44,572.82	-	(66,172.27)
OSMD Immunization Grant	1,370.50	-	-	-	1,370.50
Kaiser Permanente Grant	2,070.74	-	-	-	2,070.74
Resource Center Grant - OMSD	17,862.97	-	30.85	-	17,893.82
Title IIIb Sr Support Services	(15,334.04)	1,868.69	2,578.44	-	(16,043.79) (2)
Healthy Community Strategic Plan	7,739.46	-	-	-	7,739.46
ASES Supplemental Grant	48,439.00	-	-	-	48,439.00
E.M.S. - Paramedic Fund	(322.75)	3,763.32	7,086.22	-	(3,655.65) (3)
Economic Development	3,239,601.99	-	49,049.65	1,500,000.00	4,690,552.34
City Contributions/Donations Fund	1,200.00	-	-	-	1,200.00
Sewer Operating Fund	1,594,934.66	688,687.44	406,806.59	-	1,876,815.51
Sewer Replacement Fund	2,675,540.73	-	-	-	2,675,540.73
CFD 2011-1 (Paseos)	149,659.10	57,360.24	264.14	-	206,755.20
CFD 2011-2 (Arrow Station)	105,289.51	20,057.84	707.76	-	124,639.59
Inland Empire Utility Agency	5,173,558.02	6,726.79	-	-	5,180,284.81
Sewer Expansion Fee Fund	1,003,759.09	672.51	-	-	1,004,431.60
Developer Impact Fees - Local	1,572,397.99	-	-	-	1,572,397.99
Developer Impact Fees - Regional	933,198.77	-	-	-	933,198.77
Burtec Pavement Impact Fees	320,203.07	-	-	-	320,203.07
PUC Reimbursement Fund-MVGS	219,720.15	-	-	-	219,720.15
Utility Underground In-Lieu	383,396.52	-	-	-	383,396.52
General Plan Update Fee	113,228.80	576.59	-	-	113,805.39
Housing Fund	879,108.20	-	-	-	879,108.20
Public Education/Govt. PEG Fee Fund	144,412.87	-	-	-	144,412.87
Infrastructure Fund	(3,802,276.97)	-	504,477.18	-	(4,306,754.15) (4)
COVID-19	-	-	-	-	-
Successor Agency Bonds-Taxable	5,013,221.29	53,565.02	-	-	5,066,786.31
Successor Agency Bonds-Tax Exempt	8,115,329.91	87,314.25	5,105.50	-	8,197,538.66
2021 Lease Revenue Bond Proceeds	(1,356,438.32)	-	566,842.21	-	(1,923,280.53)
2014 Lease Revenue Bond Debt Svc	(996,288.22)	193,821.03	3,500.00	-	(805,967.19) (5)
2021 Lease Revenue Bond Debt Svc	5,698.36	-	3,500.00	-	2,198.36
Pension Obligation Bond Debt Svc	3,683,299.92	-	-	-	3,679,799.92
Contingency Fund	0.96	-	-	-	0.96
Assigned General Fund Reserves	33,187,598.05	-	72,747.57	3,276,664.29	36,391,514.77 (1)
TOTALS	\$ 72,352,870.97	\$ 6,805,280.80	\$ 6,064,922.67	\$ -	\$ 73,093,229.10

Negative Cash Notes follow this presentation.

Notes on Negative Cash Balances

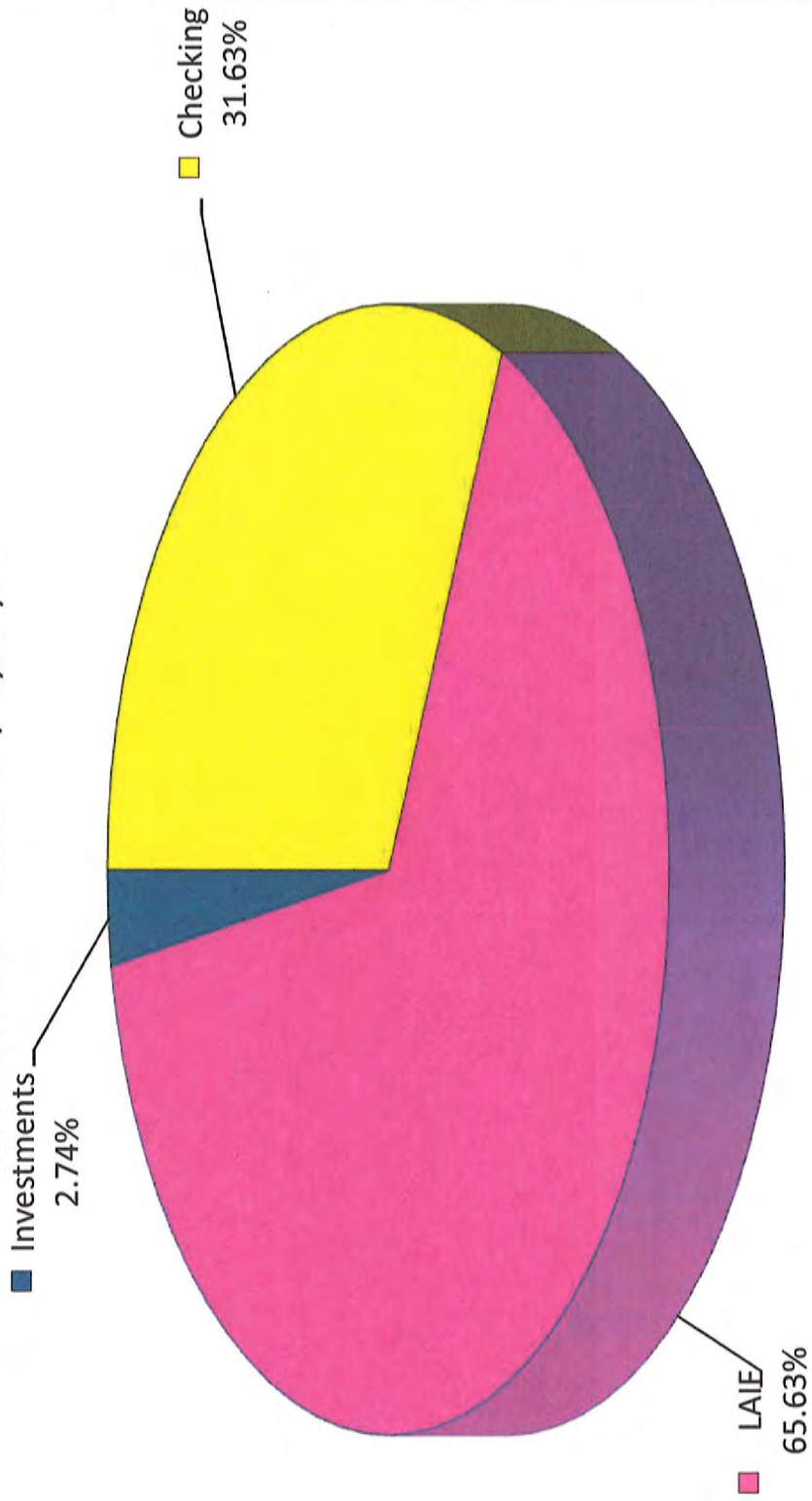
- (1)** The General Operating Fund may have a negative cash for the majority of the fiscal year awaiting property and sales tax collections. This is covered by the Contingency Fund and other General Fund Reserve Funds until those collections are received. As Contingency and General Reserves exceed this negative, the City is not utilizing restricted resources.
- (2)** These are reimbursable grant funds that utilize general pool monies initially to cover expenditures pending reimbursement from the granting agencies. Therefore, it is not uncommon for these to be negative until that reimbursement is received.
- (3)** This fund has operational deficits annually. At the end of the fiscal year it is restored by a General Fund Transfer.
- (4)** The Infrastructure Fund receives transfers from other funds to accomplish infrastructure projects. Those transfers are usually recorded when the projects nears completion or prior to mid-year budget preparation. Any negative in that fund will be eliminated at those times. Transfers from these funds (C.D.B.G., Gas Tax, Measure I, etc.) may go negative on cash pending collections of these revenues. In this way we can determine if obligations for projects are exceeding current resources.
- (5)** This debt service operation utilizes transaction and use taxes which are part of the sales tax and Successor Agency property taxes. These have been sufficient in prior fiscal years to cover the necessary debt service; however, they are not completely received until fiscal year-end. Once debt service is covered the excess will be transferred to the General Fund.

**CITY OF MONTCLAIR
STATEMENT OF CASH AND INVESTMENT ACCOUNTS
AS OF April 30, 2024**

	Par Value	Purchase Date	Maturity Date	Coupon Interest Rate	Current Market Value	Balance at Cost	Totals
CHECKING ACCOUNT							
Checking Account							\$ 23,114,302.71
Asset Seizure Account							\$ 2,472.82
CASH W/FISCAL AGENT, CD's, LAIF DEPOSITS, AND SHORT-TERM U.S. AGENCY SECURITIES							
Local Agency Investment Fund (LAIF)				4.220%	47,053,432.66	47,976,453.57	
First American Government					2,000,000.00	2,000,000.00	
					<u>\$ 49,053,432.66</u>		\$ 49,976,453.57
U.S. AGENCY SECURITIES							
					\$ -		\$ -
TOTAL							<u>\$ 73,093,229.10</u>

Current market values obtained from US Bank.

CITY OF MONTCLAIR
CASH AND INVESTMENTS BY TYPE
April 30, 2024
Total Cash & Investments \$73,093,230



**CITY OF MONTCLAIR AS SUCCESSOR TO
THE REDEVELOPMENT AGENCY
TREASURER'S REPORT**

FOR THE MONTH ENDING

April 30, 2024

**CITY OF MONTCLAIR AS SUCCESSOR TO
THE REDEVELOPMENT AGENCY
STATEMENT OF CASH BY FUND
April 30, 2024**

COMBINED OPERATING FUND

Operating	<u>13,261.77</u>	\$ 13,261.77
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LRPRP Fund

Operating	<u>0.00</u>	\$ 0.00
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RORF

	687,202.86	
RORF Area I	0.00	
RORF Area II	0.00	
RORF Area III	0.00	
RORF Area IV	0.00	
RORF Area V	0.00	
RORF Area VI	0.00	
		\$ 687,202.86

TOTAL CASH

\$ 700,464.63

**CITY OF MONTCLAIR AS SUCCESSOR TO
THE REDEVELOPMENT AGENCY
STATEMENT OF CASH
April 30, 2024**

Checking Account

US Bank

700,464.63

TOTAL CASH

700,464.63

NOTE:

In accordance with State law, the Successor Agency receives the monies necessary to cover its obligations for the upcoming six month period. The monies are received in January and June of each year.

The Successor Agency has sufficient funds available to meet expenditures during the upcoming six-month period.

**CITY OF MONTCLAIR AS SUCCESSOR TO
THE REDEVELOPMENT AGENCY
WARRANT REGISTER**

FOR THE MONTH ENDING

April 30, 2024

City of Montclair
 Final Warrant Register
 Council Date 06/03/2024
 Regular Warrants
 Checking Account: Successor to the RDA

	Warrants	US Bank transfers	Area Totals
SRDA Combined Operating Fund	0.00	4,592.45	4,592.45
RORF (Redevelopment Obligation Retirement Funds)	0.00	0.00	0.00
	0.00	4,592.45	
April 30, 2024 Total			4,592.45

Note: Reimburse City for 4/11 payrolls
 Reimburse City for 4/25 payrolls

Vice Chair Johnson

Book Transfer Daily Activity Detail

CITY OF MONTCLAIR

SinglePoint

Reported Activity From 04/02/2024 To 04/30/2024

Printed on 05/16/2024 at 11:15 AM PDT



Effective Date	Amount	From: Debit Account Number	To: Credit Account Number	Status
04/29/2024	\$2180.30	153499275813	153499275805	Completed

Debit Account Name CITY OF MONTCLAIR SUCCESSOR AGENCY
Debit Account Type DDA
Credit Account Name CITY OF MONTCLAIR GENERAL ACCOUNT
Credit Account Type DDA
Template Name .
Memo Reimb City for 04/25/24 Payroll
Initiate Date 04/29/2024
Initiate Time 08:09PM CDT
Initiated By JKULBECK
Completed Date 04/29/2024
Completed Time 08:09PM CDT

Effective Date	Amount	From: Debit Account Number	To: Credit Account Number	Status
04/11/2024	\$2412.15	153499275813	153499275805	Completed

Debit Account Name CITY OF MONTCLAIR SUCCESSOR AGENCY
Debit Account Type DDA
Credit Account Name CITY OF MONTCLAIR GENERAL ACCOUNT
Credit Account Type DDA
Template Name .
Memo Reimb City for 04/11/24 Payroll
Initiate Date 04/11/2024
Initiate Time 05:18PM CDT
Initiated By JKULBECK
Completed Date 04/11/2024
Completed Time 05:18PM CDT

Total Number of Book Transfers: 2
Total Amount of Book Transfers: \$4,592.45

--- End of Report ---

**CITY OF MONTCLAIR
HOUSING CORPORATION
TREASURER'S REPORT
FOR THE MONTH ENDING**

April 30, 2024

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CASH AND INVESTMENTS GRAPH

Schedule 1

CITY OF MONTCLAIR
HOUSING CORPORATION
STATEMENT OF CASH AND INVESTMENTS
April 30, 2024

	<u>Interest Rate</u>	<u>Market Value</u>	<u>Book Value</u>
Checking Account			
US Bank			67,971.23
Investments			
LAIF	4.32%	1,086,350.43	<u>1,092,697.62</u>
TOTAL CASH & INVESTMENTS			<u><u>1,160,668.85</u></u>

NOTE:

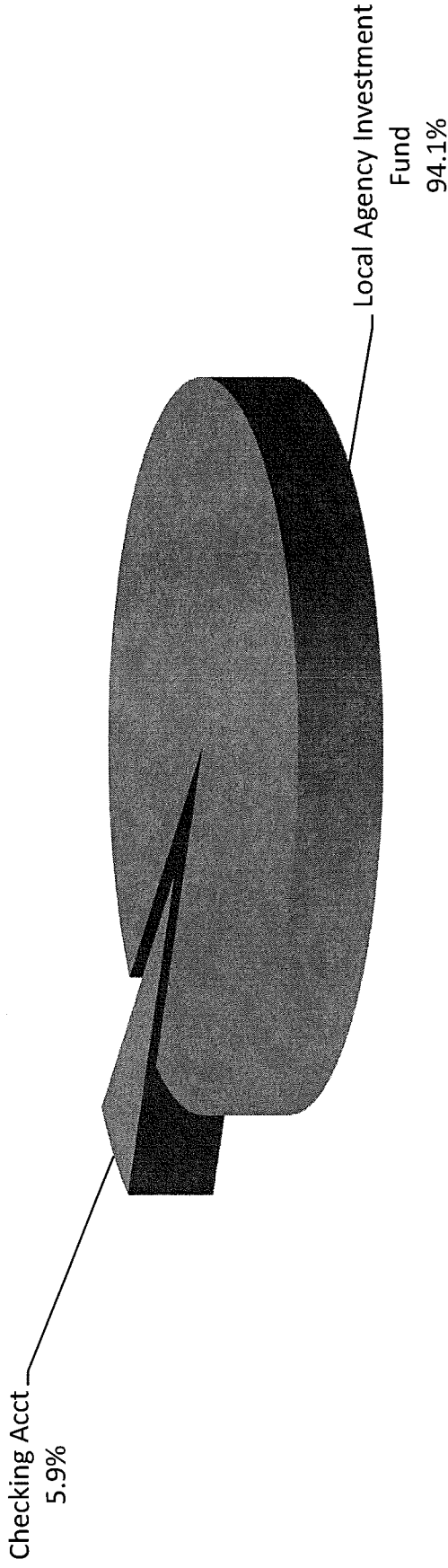
Pursuant to the Corporation's Investment Policy, all moneys are invested in banks, the Local Agency Investment Fund, and in securities with maturities of no greater than three years.

The Corporation has sufficient funds available to meet expenditures during the upcoming six-month period.

The Corporation is in compliance with the internal control procedures set forth in its Investment Policy.

**CITY OF MONTCLAIR
HOUSING CORPORATION
CASH AND INVESTMENTS GRAPH
April 30, 2024**

Total Cash & Investments - \$1,160,669



**CITY OF MONTCLAIR
HOUSING CORPORATION
WARRANT REGISTER**

FOR THE MONTH ENDING

April 30, 2024

City of Montclair
Final Warrant Register
Council Date 06/03/2024
Regular Warrants
Checking Account: MHC

<u>Warrants</u>	<u>ACH Transfers</u>	<u>Voided Checks</u>	<u>US Bank transfers</u>	<u>Totals</u>
66,170.07	0.00	0.00	140.00	66,310.07

April 30, 2024 Total

66,310.07

US Bank transfers:

Vice Chair Johnson

Accounts Payable

Checks by Date - Summary by Check Number

User: cramirez
Printed: 5/16/2024 9:02 AM



Check No	Vendor No	Vendor Name	Check Date	Check Amount
5645	Dina001	Dina Contractor Services	04/11/2024	5,944.99
5646	HernG001	Gabriel Hernandez	04/11/2024	11,352.00
5647	Hugo001	Hugo Jaramillo	04/11/2024	7,050.00
5648	JGL001	JGL Electric Company, Inc.	04/11/2024	2,735.00
5649	Mont002	City of Montclair	04/11/2024	3,887.80
5650	Mont074	Monte Vista Water District	04/11/2024	1,560.62
5651	ACI0001	ACI Flooring, Inc.	04/25/2024	7,310.89
5652	Arti005	Artic Plumbing And Drain Cleaning	04/25/2024	1,698.00
5653	Lexa001	Lexar Construction	04/25/2024	10,000.03
5654	Mont002	City of Montclair	04/25/2024	7,807.28
5655	Mont074	Monte Vista Water District	04/25/2024	4,279.94
5656	SCE-Res	Southern California Edison Co	04/25/2024	81.57
5657	Sout018	Southern California Edison Co	04/25/2024	388.47
5658	Sout021	Southern California Gas Co	04/25/2024	878.48
5659	Obli001	The Obliterator	04/25/2024	1,195.00
Report Total (15 checks):				66,170.07

Book Transfer Daily Activity Detail

CITY OF MONTCLAIR

SinglePoint

Reported Activity From 04/02/2024 To 04/30/2024

Printed on 05/16/2024 at 11:15 AM PDT



Effective Date	Amount	From: Debit Account Number	To: Credit Account Number	Status
04/08/2024	\$140.00	153499275821	153499275805	Completed

Debit Account Name MONTCLAIR HOUSING CORPORATION
Debit Account Type DDA
Credit Account Name CITY OF MONTCLAIR GENERAL ACCOUNT
Credit Account Type DDA
Template Name .
Memo Reimb City for Landscape Maint Invoice
Initiate Date 04/08/2024
Initiate Time 06:15PM CDT
Initiated By JKULBECK
Completed Date 04/08/2024
Completed Time 06:15PM CDT

Total Number of Book Transfers: 1
Total Amount of Book Transfers: \$140.00

--- End of Report ---

**CITY OF MONTCLAIR
HOUSING AUTHORITY
TREASURER'S REPORT
FOR THE MONTH ENDING
April 30, 2024**

Schedule 1

**CITY OF MONTCLAIR
HOUSING AUTHORITY
STATEMENT OF CASH
April 30, 2024**

	<u>Amount</u>
Checking Account	
US Bank	3,183,037.57
TOTAL CASH	\$ <u>3,183,037.57</u>

NOTE:

During the upcoming month, surplus moneys will be invested in the Local Agency Investment Fund. The MHA has sufficient monies available to meet expenditures during the next six month period.

**CITY OF MONTCLAIR
HOUSING AUTHORITY
WARRANT REGISTER
FOR THE MONTH ENDING
April 30, 2024**

City of Montclair
Final Warrant Register
Council Date 06/03/2024
Regular Warrants
Checking Account: MHA

<u>Warrants</u>	<u>Voided Checks</u>	<u>US Bank transfers - out.</u>	<u>Totals</u>
0.00	0.00	0.00	0.00
April 30, 2024 Total			<u><u>0.00</u></u>

Vice Chair Johnson