

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

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

June 17, 2019

7:00 p.m.

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

Persons wishing to speak on an agenda item, including closed session items, are requested to complete a yellow Speaker Information Card located at the entrance of the Council Chambers and present it to the City Clerk prior to consideration of the item. The Mayor/Chair (or the meeting's Presiding Officer) will recognize those who have submitted a card at the time of the item's consideration by the City Council/Board of Directors/Commissioners, and speakers may approach the podium to provide comments on the item at that time.

Audio recordings of the CC/SA/MHC/MHA/MCF meetings are available on the City's website at www.cityofmontclair.org and can be accessed by the end of the next business day following the meeting.

- 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 HEARINGS

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- A. Consider Second Reading and Adoption of Ordinance No. 19-985 Adding Section 6.16.025 to the Montclair Municipal Code Establishing and Mandating a Commercial and Organic Waste Recycling Program and Amending Specific Sections of Chapters 1.12 and 6.16 Related to Penalties and Refuse Collection and Disposal in the City of Montclair [CC] 4

VII. PUBLIC COMMENT

This section is intended to provide members of the public with an opportunity to comment on any subject that does not appear on this agenda. Each speaker will be afforded up to five minutes to address the City Council/Boards of Directors/Commissioners. (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.

VIII. CONSENT CALENDAR

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X. BUSINESS ITEMS — None	
XI. RESPONSE — None	
XII. COUNCIL WORKSHOP	
A. Presentation of Proposed Streetscape Plan for Portions of Arrow Highway and Fremont Avenue Within the North Montclair Downtown Specific Plan <i>(The City Council may consider continuing this item to an adjourned meeting on Monday, July 1, 2019, at 5:45 p.m. in the City Council Chambers)</i>	

XIII. COMMUNICATIONS

A. City Department Reports

1. Public Works Department — Central Avenue Rehabilitation Phase 1 Project Update (Impacts and Notice to Businesses Along Central Avenue)
2. Human Services Department — Upcoming Summer Programs & Events
3. City Clerk’s Office
 - Announcement of Planning Commission Panel Recommendations to Fill Two Vacancies on the Planning Commission
 - Announcement of Community Activities Commission Panel Recommendation to Fill a Vacancy on the Community Activities Commission

B. City Attorney

C. City Manager/Executive Director

D. Mayor/Chairperson

1. Consider Making Appointments to Fill Two (2) Vacancies on the Planning Commission for New Terms Ending June 30, 2023 [CC]
2. Consider Making an Appointment to Fill One (1) Vacancy on the Community Activities Commission for a Partial Term Ending June 30, 2022 [CC]

E. Council Members/Directors

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

1. Personnel Committee Meeting— June 3, 2019 [CC] 49

XIV. ADJOURNMENT

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, July 1, 2019, at 7:00 p.m. in the Council Chambers.

Reports, backup materials, and additional materials related to any item on this Agenda distributed to the Acting Bodies after distribution of the Agenda packet are available for public inspection in the City Clerk's Office at 5111 Benito Street, Montclair, California, between 7:00 a.m. and 6:00 p.m., Monday through Thursday.

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the City Clerk's Office at (909) 625-9416. Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting. (28 CFR 35.102-35.104 ADA Title II)

I, Andrea M. Phillips, City Clerk, hereby certify that I posted, or caused to be posted, a copy of this Agenda not less than 72 hours prior to this meeting on the bulletin board adjacent to the north door of Montclair City Hall at 5111 Benito Street, Montclair, CA 91763 on June 13, 2019.



AGENDA REPORT

DATE: JUNE 17, 2019

FILE I.D.: REF020

SECTION: PUBLIC HEARINGS

DEPT.: FINANCE

ITEM NO.: A

PREPARER: D. PARKER

SUBJECT: CONSIDER SECOND READING AND ADOPTION OF ORDINANCE NO. 19-985 ADDING SECTION 6.16.025 TO THE MONTCLAIR MUNICIPAL CODE ESTABLISHING AND MANDATING A COMMERCIAL AND ORGANIC WASTE RECYCLING PROGRAM AND AMENDING SPECIFIC SECTIONS OF CHAPTERS 1.12 AND 6.16 RELATED TO PENALTIES AND REFUSE COLLECTION AND DISPOSAL IN THE CITY OF MONTCLAIR

REASON FOR CONSIDERATION: The City Council is requested to consider conducting the second reading and consider adoption of Ordinance No. 19-985 adding Section 6.16.025 to the Montclair Municipal Code establishing and mandating a Commercial and Organic Waste Recycling Program and amending specific sections of Chapters 1.12 and 6.16 related to Penalties and Refuse Collection and Disposal in the City of Montclair. Amendments to the City of Montclair Municipal Code require public hearing review and approval by the City Council.

A copy of proposed Ordinance No. 19-985 is attached for the City Council's review and consideration.

BACKGROUND: Chapter 6.16 of Title 6 of the City of Montclair Municipal Code contains the regulations for Refuse Collection and Disposal; however, Chapter 6.16 does not presently include commercial general and organic waste recycling processes. These processes are currently mandated by state law. State law requires that local governments implement these requirements.

The State of California, Department of Resources Recycling and Recovery (CalRecycle) administers and provides oversight for all of California's state-managed, non-hazardous waste handling and recycling programs. As part of our implementation of these state's requirements, the City created a voluntary commercial general and organic waste recycling program. The rate of participation in the program, while increasing, has not increased fast enough to satisfy CalRecycle's requirements. CalRecycle is threatening notification of non-compliance and ultimately can issue penalties of up to \$10,000 per day if conformance with their established criteria is not achieved. In order to achieve compliance, they now requiring cities' established commercial recycling programs become mandatory.

To make commercial general and organic waste recycling procedures mandatory, Section 6.16.025 would need to be added to require these processes. This would also establish the City's ability to enforce these requirements. Staff is also recommending some cleanup language to other areas of Chapter 6.16 (Refuse Collection and Disposal) and 1.12 (Penalties) to correct typographical errors, remove redundancies, and include references to other pertinent sections of the Code. Ordinance No. 19-85 would be effective 30 days after adoption by City Council.

FISCAL IMPACT: Proposed Ordinance No. 19-985 adding Section 6.16.025 to the Montclair Municipal Code covers refuse collection processes and procedures and does not involve the setting of fees or costs. The City Council's adoption of Ordinance No. 19-985 would have no direct fiscal impact other than to avoid penalties imposed by CalRecycle.

RECOMMENDATION: Staff recommends the City Council conduct the second reading and adopt Ordinance No. 19-985 adding section 6.16.025 to the Montclair Municipal Code establishing and mandating a Commercial and Organic Waste Recycling Program and amending specific sections of Chapters 1.12 and 6.16 related to penalties and refuse collection and disposal in the City of Montclair.

ORDINANCE NO. 19-985

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MONTCLAIR AMENDING SECTIONS WITHIN CHAPTERS 6.02 (DEFINITIONS) AND 6.16 (REFUSE COLLECTION AND DISPOSAL) OF THE MONTCLAIR MUNICIPAL CODE; ADDING SECTION 6.16.025 ESTABLISHING A MANDATORY COMMERCIAL RECYCLING AND ORGANIC WASTE RECYCLING/DIVERSION PROGRAM; AND AMENDING SECTION 1.12.010 (PENALTIES)

WHEREAS, various codes of the State of California establish the requirements for refuse collection, recycling and disposal; and

WHEREAS, implementation of the various requirements specified in applicable Codes was accomplished by the City of Montclair in Title 6 – Health and Safety of its Municipal Code which specifies processes and procedures covering Refuse Collection and Disposal; and

WHEREAS, to recognize recycling and organic waste disposal programs currently required by State Law and available, revision of the Municipal Code is required.

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

SECTION I. Section 6.02.010 of Chapter 6.02 of Title 6 is amended to include the following definitions:

6.02.010 – Definitions.

Business means a commercial or public entity including, but not limited to, a firm, partnership, proprietorship, joint-stock company, corporation, or association that is organized as a for-profit or nonprofit entity, strip mall, school, school district, special district, federal, state, local, regional agency or facility. “Business” also includes a multifamily residential dwelling or mobile home park of five or more units.

Organic waste means food waste, green waste, landscape and pruning waste, nonhazardous wood waste, and food-soiled paper waste that is mixed in with food waste.

Scavenging means engaging in any of the following activities:

1. Tampering or meddling with a container used for disposal of solid waste including recyclable materials.
2. Tampering or meddling with the contents of any container used for disposal of solid waste including recyclable materials.
3. Removing the contents of any container used for disposal of solid waste including recyclable materials.
4. Removing any container used for disposal of solid waste, including recyclable materials, from the location where the container has been placed by the owner of the container or owner's agent or employee.
5. Removing, tampering, or meddling with solid waste, including recyclable materials, set out for collection pursuant to the provisions of Chapter 6.16 on private property or on any sidewalk, street, or public right-of-way.

SECTION II. Section 6.16.020 is hereby amended as follows:

6.16.020 – Receptacle required.

- A. All garbage, rubbish and waste materials as defined in Chapter ~~7-02~~ 6.02 of this title shall be deposited in a single receptacle or receptacles as required ~~and receptacle(s) shall not exceed 36 gallons,~~ which may be provided by the City or its duly authorized agent. When garbage is deposited with waste material, rubbish or refuse, the receptacle shall be of a ~~metal,~~ plastic or otherwise impervious material with a tight-fitting cover.

- B. ~~Refuse containers shall be provided by the owner, tenant, lessee or occupant of the premises with the exception of bins that are provided to a multifamily, commercial or industrial property by the City's contractor.~~ Refuse containers shall be maintained in good condition. Any container that does not conform to the provisions of this chapter or that may have ragged or sharp edges or any other defect liable to hamper or injure the person collecting the contents thereof shall be promptly replaced upon notice to the City's authorized waste hauler. The City Manager or his/her designee shall have the authority to refuse collection services for failure to comply herewith.

~~G. Plastic bags having sufficient strength and watertightness and which are designed for the containment of refuse may also be used. Cardboard barrels with metal rims are not proper trash containers. When set out on the curb side, both cardboard barrels and boxes shall be picked up and not returned to the resident.~~

SECTION III. Section 6.16.025, establishing and mandating a commercial and organic waste recycling program, is hereby added to Chapter 6.16 of the Montclair Municipal Code as follows:

6.16.025 – Commercial recycling and organic waste recycling/diversion.

- A. Any business generating four or more cubic yards of solid waste per week and any multifamily residential dwelling of five or more units shall reuse, recycle, compost, or otherwise divert its recyclable materials by taking one, or any combination, of the following actions:
1. Source separate recyclable materials from the solid waste stream and subscribe with the City's franchise hauler, for the pickup of the recyclable materials separately from the solid waste to divert the recyclable materials from disposal.
 2. Source separate recyclable materials from the solid waste and self-haul recyclable materials to a certified materials recovery facility (MRF) or other mixed waste processing facility for diversion from disposal.
 - a. Each business subject to this section that does not subscribe with city's franchise hauler for pick-up of its recyclable materials shall be responsible for ensuring and demonstrating its compliance with the requirements of this section to the City Manager or his or her designee with satisfactory proof of acceptable levels of waste diversion on a quarterly basis (March, June, September and December).
 - b. To comply with subsection A of this section, property owners of multifamily complexes may require tenants to source separate their recyclable materials. Tenants must source separate their recyclable materials as required by property owners of multifamily complexes subject to this section.
 3. The City shall implement a commercial solid waste recycling program that consists of education, outreach and monitoring of businesses, that is designed to divert commercial solid waste from businesses.
 4. Nothing in this section is intended to prevent or limit the existing right of any business to donate, sell, or otherwise dispose of its recyclable materials as provided by Section 41952 of the Public Resources Code.
- B. Any business and any multifamily residential dwelling of five or more units generating four or more cubic yards of solid waste per week shall recycle, compost, or otherwise divert its organic waste by taking one, or any combination, of the following actions:
1. Source separate organic waste from the solid waste stream, and subscribe with the City's franchise hauler for the pick-up of the organic materials separately from the solid waste to divert the materials from disposal.

2. Source separate organic waste from the solid waste and self-haul organic waste to a certified organic processing and recycling facility for diversion from disposal.
 - a. Each business subject to this section that does not subscribe with the City's franchise hauler for pick-up of its organic materials shall be responsible for ensuring and demonstrating its compliance with the requirements of this section to the City Manager or his or her designee with satisfactory proof of acceptable levels of organics recycling on a quarterly basis (March, June, September and December).
 - b. To comply with subsection B of this section, property owners of multifamily complexes may require its contracted landscapers to recycle the green waste materials and provide satisfactory proof that the materials are being properly recycled.
3. The City's franchise hauler shall implement a commercial organics recycling program that consists of education, outreach and monitoring of businesses, that is designed to divert organic materials from businesses.
- C. Nothing in this section is intended to prevent or limit the existing right of any business to donate, sell or otherwise dispose of its organics materials as provided by Section 41952 of the Public Resources Code.
- D. Penalties. Any person who violates any provision of this section shall be guilty of a misdemeanor or an infraction, as defined by and punishable in the manner provided for in Section 1.12.010 of this Code.

SECTION IV. Section 6.16.140 prohibiting scavenging in solid waste containers in the City is hereby amended in order to add references and remove redundancies within the Code as follows:

6.16.140 – Scavenging Prohibited.

A. Scavenging. It is unlawful for any person to engage in the act of scavenging, as defined in Section 6.02.010. ~~For purposes of this section, "scavenging" means engaging in any of the following activities:~~

- ~~1. Tampering or meddling with a container used for disposal of solid waste including recyclable materials.~~
- ~~2. Tampering or meddling with the contents of any container used for disposal of solid waste including recyclable materials.~~
- ~~3. Removing the contents of any container used for disposal of solid waste including recyclable materials.~~
- ~~4. Removing any container used for disposal of solid waste, including recyclable materials, from the location where the container has been placed by the owner of the container or owner's agent or employee.~~
- ~~5. Removing, tampering, or meddling with solid waste, including recyclable materials, set out for collection pursuant to the provisions of this chapter 6.16 on private property or on any sidewalk, street, or public right-of-way.~~

~~C.—Enforcement:~~

- ~~1. It is unlawful for any person to violate any provision or fail to comply with any requirements of this section. In addition to other remedies provided by law, any person violating any provision of this section or failing to comply with any of the requirements is deemed guilty of an infraction within the manner provide in Montclair Municipal Code Section 1.12.010.~~
- ~~2. Each person shall be deemed guilty of a separate offense for each and every day, or any portion thereof, during which any violation of or failure to comply with any of the provisions of this section is committed, continued, or permitted.~~

~~D.—Penalties.—Each infraction is punishable by:~~

~~1.—A fine not exceeding \$100 for the first violation.~~

~~2.—A fine not exceeding \$200 for the second violation within one year.~~

~~3.—A fine not exceeding \$500 for each additional violation within one year.~~

~~E.—It is declared to be an infraction for any person, other than those individuals listed in subsection B, to violate any provision of this Section 6.16.040.~~

C. Penalties. Any person who violates any provision of this section shall be guilty of a misdemeanor or an infraction, as defined by and punishable in the manner provided for in Section 1.12.010 of this Code.

SECTION V. Subsection B of Section 1.12.010 is amended to include recovery of Attorney's Fees to the description of Penalties as follows:

1.12.010 - Penalties.

B. Penalties.

4. Attorney Fees. In addition to any civil and criminal penalties as provided by the provisions of this section or otherwise, the City may recover reasonable attorneys' fees, court costs, and other expenses of litigation and/or prosecution incurred in the enforcement of the provisions of this Code against a person, business, or entity found to have violated any of the provisions of this Code.

SECTION VI. Severability.

If any section, subsection, subdivision, paragraph, sentence, clause, or phrase of this Ordinance or any part thereof is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portion of this Ordinance or any part thereof. The City Council hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause, or phrase thereof, irrespective of the fact that any one or more sections, subsections, subdivisions, paragraphs, sentences, clauses, or phrases be declared unconstitutional.

SECTION VII. Effective Date.

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

SECTION VIII. Posting.

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

APPROVED AND ADOPTED this XX day of XX, 2019.

Mayor

ATTEST:

City Clerk

I, Andrea M. Phillips, City Clerk of the City of Montclair, DO HEREBY CERTIFY that the foregoing is a true and correct copy of Ordinance No. 19-985 of said City, which was introduced at a regular meeting of the City Council held on the XX day of XX, 2019, and finally passed not less than five (5) days thereafter on the XX day of XX, 2019, by the following vote, to-wit:

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

Andrea M. Phillips
City Clerk



AGENDA REPORT

DATE:	JUNE 17, 2019	FILE I.D.:	FIN520
SECTION:	ADMIN. REPORTS	DEPT.:	ADMIN. SVCS.
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 May 31, 2019, pursuant to state law.

BACKGROUND: Included in your agenda packet is a copy of the Treasurer's Report for the period ending May 31, 2019.

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 May 31, 2019.



AGENDA REPORT

DATE:	JUNE 17, 2019	FILE I.D.:	FIN540
SECTION:	ADMIN. REPORTS	DEPT.:	FINANCE
ITEM NO.:	2	PREPARER:	L. LEW/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 Raft has examined the Warrant Register dated June 17, 2019; and the Payroll Documentation dated May 26, 2019; and recommends their approval.

FISCAL IMPACT: The Warrant Register dated June 17, 2019, totals \$1,347,564.29; and the Payroll Documentation dated May 26, 2019, totals \$622,171.24 gross, with \$440,935.28 net being the total cash disbursement.

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



AGENDA REPORT

DATE:	JUNE 17, 2019	FILE I.D.:	FIN510
SECTION:	ADMIN. REPORTS	DEPT.:	SUCCESSOR RDA
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 is requested to consider receiving and filing the Successor to the Redevelopment Agency Treasurer's Report for the month ending May 31, 2019, pursuant to state law.

BACKGROUND: Included in your agenda packet is a copy of the Successor to the Redevelopment Agency Treasurer's Report for the period ending May 31, 2019.

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

RECOMMENDATION: Staff recommends the City Council acting as Successor to the Redevelopment Agency Board of Directors receive and file the Successor to the Redevelopment Agency Treasurer's Report for the month ending May 31, 2019.



AGENDA REPORT

DATE:	JUNE 17, 2019	FILE I.D.:	FIN530
SECTION:	ADMIN. REPORTS	DEPT.:	SUCCESSOR RDA
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 May 31, 2019, pursuant to state law.

BACKGROUND: Vice Chairperson Raft has examined the Successor to the Redevelopment Agency Warrant Register dated 05.01.19-05.31.19 in the amounts of \$14,910.57 for the Combined Operating Fund; \$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 Chairperson Raft recommends the City Council as Successor to the Redevelopment Agency Board of Directors approve the Successor to the Redevelopment Agency Warrant Register for the period ending May 31, 2019.



AGENDA REPORT

DATE:	JUNE 17, 2019	FILE I.D.:	FIN525
SECTION:	ADMIN. REPORTS	DEPT.:	MHC
ITEM NO.:	5	PREPARER:	C. RAMIREZ
SUBJECT:	CONSIDER RECEIVING AND FILING OF TREASURER'S REPORT		

REASON FOR CONSIDERATION: Montclair Housing Corporation Board of Directors is requested to receive and file the Montclair Housing Corporation Treasurer's Report for the month ending May 31, 2019, pursuant to state law.

BACKGROUND: Included in your agenda packet is a copy of the Treasurer's Report for the period ending May 31, 2019.

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 May 31, 2019.



AGENDA REPORT

DATE:	JUNE 17, 2019	FILE I.D.:	FIN545
SECTION:	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 May 31, 2019, pursuant to state law.

BACKGROUND: Vice Chairperson Raft has examined the Warrant Register dated 05.01.19-05.31.19 in the amount of \$53,528.82 for the Montclair Housing Corporation and finds it to be in order.

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

RECOMMENDATION: Vice Chairperson Raft recommends the Montclair Housing Corporation Board of Directors approve the Warrant Register for the period ending May 31, 2019.



AGENDA REPORT

DATE:	JUNE 17, 2019	FILE I.D.:	FIN525
SECTION:	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 Board of Directors is requested to receive and file the Montclair Housing Authority Treasurer's Report for the month ending May 31, 2019, pursuant to state law.

BACKGROUND: Included in your agenda packet is a copy of the Treasurer's Report for the period ending May 31, 2019.

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

RECOMMENDATION: Staff recommends the Montclair Housing Authority Board of Directors receive and file the Treasurer's Report for the month ending May 31, 2019.



AGENDA REPORT

DATE:	JUNE 17, 2019	FILE I.D.:	FIN545
SECTION:	ADMIN. REPORTS	DEPT.:	MHA
ITEM NO.:	8	PREPARER:	C. RAMIREZ
SUBJECT:	CONSIDER APPROVAL OF WARRANT REGISTER		

REASON FOR CONSIDERATION: The Montclair Housing Authority Board of Directors is requested to consider receiving and filing the Warrant Register for the month ending May 31, 2019, pursuant to state law.

BACKGROUND: Vice Chairperson Raft has examined the Warrant Register dated 05.01.19-05.31.19 in the amount of \$0.00 for the Montclair Housing Authority and finds it to be in order.

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

RECOMMENDATION: Vice Chairperson Raft recommends the Montclair Housing Authority Board of Directors approve the Warrant Register for the period ending May 31, 2019.



AGENDA REPORT

DATE:	JUNE 17, 2019	FILE I.D.:	HSV042
SECTION:	ADMIN. REPORTS	DEPT.:	HUMAN SVCS./PUBLIC WORKS
ITEM NO.:	9	PREPARER:	A. COLUNGA
SUBJECT:	CONSIDER AUTHORIZATION OF IN-KIND MATCHING FUNDS TO THE SOUTHERN CALIFORNIA ASSOCIATION OF GOVERNMENTS IN SUPPORT OF THE MONTCLAIR SAFE ROUTES TO SCHOOL AND ACTIVE TRANSPORTATION PLANNING GRANTS		

REASON FOR CONSIDERATION: The City Council is requested to consider authorizing in-kind matching funds to the Southern California Association of Governments (SCAG) to support the Montclair Safe Routes to School and Montclair Active Transportation Planning Grants.

BACKGROUND: The City of Montclair was awarded two planning grants from the Southern California Association of Governments (SCAG) to develop and complete the Montclair Safe Routes to School (SRTS) Plan and the Montclair Active Transportation Plan (ATP). Both planning projects began in Spring 2019. To be eligible to receive future grant funds for infrastructure and non-infrastructure improvements, the City must have a plan in place to implement the desired improvements.

Montclair Safe Routes to School Plan

In October 2016, in collaboration with the City of Montclair Human Services Department, SCAG applied for a Federal Transit Administration (FTA) Section 5304 Sustainable Communities Planning Grant to develop the Montclair SRTS Plan. The SRTS plan proposal was awarded grant funding in April 2017. SCAG released a request for proposals in early 2018 for consultants to develop the Montclair SRTS Plan. After a review of the proposals and interviews by SCAG, the City of Montclair, and Caltrans District 8, the contract was awarded by SCAG to KOA Corporation (KOA) in January 2019.

KOA and City staff will leverage the efforts completed through the Healthy Montclair Initiative to develop a SRTS Plan that provides strategies to implement and evaluate community-based programming and infrastructure projects that increase physical activity, increase the use of public facilities including bicycle and walking paths, create safer routes to school, and ensure that streets in the City are designed and maintained with all users in mind. The Montclair SRTS Plan is expected to be completed in June 2020.

Montclair Active Transportation Plan

In August 2017, the Human Service Department and Public Works Department applied for Senate Bill 1 funding from SCAG to develop the Montclair Active Transportation Plan (ATP). The City of Montclair was one of ten active transportation projects awarded funding in October 2017. SCAG released a request for proposals in late 2018 for consultants to develop the Montclair ATP. After a review of the proposals by SCAG, the City of Montclair, and Caltrans District 8, the contract was awarded by SCAG to KOA Corporation (KOA) in February 2019.

In collaboration with City staff, KOA will develop the Montclair ATP. The Montclair ATP will incorporate elements of the SRTS Plan and the Systemic Safety Analysis Report Program (SSARP), both being developed under separate contracts with SCAG on a similar project timeline.

The goal of the Montclair ATP is to improve mobility for people walking and biking by providing a comprehensive plan for active transportation that includes bicycle elements, pedestrian elements, SRTS elements, and connections to transit and major destinations in the area. Improving conditions for walking and bicycling within the City of Montclair would provide residents with greater access to jobs, goods, and services without the use of an automobile. Increasing the percentage of trips made by bicycling and walking will reduce overall vehicle miles traveled (VMT) and greenhouse gas (GHG) emissions. The Montclair ATP is expected to be completed in July 2020.

These plans will be developed on a similar timeline as the Montclair General Plan Update; KOA will coordinate with the Montclair General Plan Update consultants to ensure the SRTS plan and ATP align with the vision and goals of the General Plan.

In-Kind Contribution

A local in-kind match is required with the Montclair SRTS planning grant and Montclair ATP grant. The City of Montclair will provide an in-kind match of \$26,887.28 for the Montclair SRTS planning grant and \$10,000 for the Montclair ATP grant. Local in-kind match shall be funded only with non-federal funds.

The breakdown of this match is as follows:

- Staff attendance at community events, public workshops, technical advisory committee meetings
- Staff time conducting research to assist the consultant.
- Staff time devoted to any other efforts on behalf of the project development
- The value of staff time will be determined by a participating staff member's hourly rate plus fringe benefits.

SCAG's roles and responsibilities will include conducting the procurement process for consultant services; approving invoices, reviewing consultant deliverables and providing timely feedback on those deliverables, and participating in monthly progress update meetings and/or conference calls.

City staff will provide technical leadership for the project including guiding analytical work and project outreach, providing data if available, reviewing consultant deliverables and providing timely feedback on those deliverables, and participating in monthly progress update meetings and/or conference calls.

FISCAL IMPACT: There will be no adverse impact to the City's general fund. Staff will need to report in-kind project areas to SCAG on a regular basis using SCAG's template by tracking and recording these hours under a separate subaccount in the City's Springbrook financial system software.

RECOMMENDATION: Staff recommends that the City Council authorize in-kind matching funds to SCAG in support of the Montclair Safe Routes to School and Montclair Active Transportation Planning Grants.



AGENDA REPORT

DATE:	JUNE 17, 2019	FILE I.D.:	PDT362
SECTION:	ADMIN. REPORTS	DEPT.:	POLICE
ITEM NO.:	10	PREPARER:	M. BUTLER
SUBJECT:	CONSIDER AUTHORIZING THE USE OF \$6,500 IN STATE ASSET FORFEITURE FUNDS TO HOST THE 2019 NATIONAL NIGHT OUT EVENT		

REASON FOR CONSIDERATION: The Police Department, through its Community Relations Division, is coordinating and hosting the 2019 National Night Out community event. The City Council is requested to consider authorizing the use of State Asset Forfeiture funds to purchase goods and services that are essential to its success.

BACKGROUND: The Police Department is dedicated to ensuring the safety of the Montclair community and is committed to engaging residents in dialogue about law enforcement-related responsibilities, concerns, and crime prevention. To that end, the Department, through its Community Relations Division, will coordinate and host this year's National Night Out event in Alma Hofman Park on Tuesday, August 6. National Night Out is an annual community-building campaign designed to promote police-community partnerships that enhance neighborhood camaraderie and build safer communities.

To encourage community involvement, this year's event will include fun in the Splash Pad, a photo booth, face painting, and a movie in the park, all at no cost to attendees. Popcorn, cookies, nuts, and shaved ice will be available for sale. Montclair Police and Fire Department personnel will be on-hand to speak to the public and provide our youth and the "young at heart" the opportunity to see and handle some of the tools of the trade. A certified child seat installation technician will be available to inspect car seats and provide instruction on proper installation procedures. Child ID/fingerprint kits and a host of educational and promotional materials that help guide, support, motivate, and encourage residents to take an active role in securing a safer community will be available. In addition, a portion of the funding would be used to purchase two movie licenses in support of the City's Movie in the Park summer series leading up to National Night Out, which is also a perfect opportunity for outreach and interaction with the communities we serve as well as to promote National Night Out.

The San Bernardino County Asset Forfeiture Panel has approved the Department's request to expend Drug and Gang Prevention funds on National Night Out 2019 and two movie-in-the-park events.

FISCAL IMPACT: Pursuant to Health and Safety Code Section 11489, 15 percent of funds distributed through State Asset Forfeiture shall be deposited in a special fund to be "used for the sole purpose of funding programs designed to combat drug abuse and divert gang activity, and shall wherever possible involve educators, parents, community-based organizations and local businesses, and uniformed law enforcement officers." The City has established Fund 1146 for this purpose.

If authorized by the City Council, funding for the purchase of goods and services for National Night Out and two movie licenses for the City's Movie in the Park summer series would result in an expenditure of \$6,500 from said fund.

RECOMMENDATION: Staff recommends the City Council authorize the use of \$6,500 in State Asset Forfeiture funds to host the 2019 National Night Out event.



AGENDA REPORT

DATE:	JUNE 17, 2019	FILE I.D.:	PDT405
SECTION:	ADMIN. REPORTS	DEPT.:	POLICE
ITEM NO.:	11	PREPARER:	M. BUTLER
SUBJECT:	CONSIDER AUTHORIZING A \$1,080 APPROPRIATION FROM THE PROP 30/AB 109 FUND TO PAY THE ANNUAL USAGE FEE FOR FIVE ELECTRONIC STAKEOUT TRACKER SYSTEMS		

REASON FOR CONSIDERATION: The City Council is requested to authorize a \$1,080 appropriation from the Proposition 30/AB 109 Fund to pay the annual usage fee for the Department's five Electronic StakeOut (ESO) tracker systems, ensuring the devices would continue to operate as expected on the cellular network and secure web portal.

BACKGROUND: The Police Department received funding under Proposition 30 for implementation of Public Safety Realignment efforts. Funding is to be used by frontline law enforcement to implement re-entry programs and/or address crime impacts to communities affected by Realignment.

ESO tracker systems are apprehension tools that actively target criminals perpetrating property crimes affecting the quality of life in our community. This highly effective and fiscally efficient tool is the next wave for modern policing; in fact, Montclair Police Department has utilized the devices since 2014. The number of police agencies turning to Global Positioning System (GPS) technology to protect assets is increasing. 3SI Security Systems, the ESO tracker system provider, uses Electronic Satellite Pursuit (ESP), a proven GPS tracking system that combines high-sensitivity GPS, cellular, and radio frequency (RF) location technologies to provide a powerful and effective tracking and location tool.

An ESO tracking system is a small, electronic GPS device capable of being concealed within or on many objects. The fully automatic devices stay hidden until needed and have high-sensitivity GPS systems built into them. Only one high-speed Internet computer is needed to track the device via a secured website. The system is completely silent, giving no indication to the thief that a tracking system is in progress. RF technology provides an additional location method. The device battery status and history is available via a secured website. Device tracking and event history is also stored on a secured website. The devices are easy to maintain and use and require minimal installation time. They utilize little resources and have remote access which reduces manpower deployment. The battery system self-checks and is serviced once every 12 months.

Through ESO deployment, the device alerts law enforcement to crimes in progress, resulting in the arrest of criminals. The different uses for the ESO tracking systems are virtually endless. Various applications include bait cars, bicycles, motor scooters, metal theft, construction sites, laptop computers, cash packs, or whatever the current crime trend may be.

FISCAL IMPACT: If authorized by the City Council, funding to cover the recurring usage fee for continued support of the Department's five ESO tracker systems would result in an appropriation from the Proposition 30/AB 109 Fund (1141) in the amount of \$1,080.

RECOMMENDATION: The City Council is requested to authorize a \$1,080 appropriation from the Proposition 30/AB 109 Fund to pay the annual usage fee for five Electronic StakeOut tracker systems.



AGENDA REPORT

DATE:	JUNE 17, 2019	FILE I.D.:	MCF200
SECTION:	ADMIN. REPORTS	DEPT.:	MCF
ITEM NO.:	12	PREPARER:	A. COLUNGA
SUBJECT:	CONSIDER APPROVAL OF THE PURCHASE OF A ONE-YEAR SUBSCRIPTION TO FOUNDATION DIRECTORY ONLINE TO IMPROVE THE MONTCLAIR COMMUNITY FOUNDATION'S ABILITY TO RECEIVE GRANTS		

REASON FOR CONSIDERATION: The Montclair Community Foundation (MCF) Board of Directors is requested to consider approval of the purchase of a one-year subscription to Foundation Directory Online.

BACKGROUND: The City Council also serves as the MCF Board of Directors. The vision of MCF is to work collectively and collaboratively to strengthen services and enhance the quality of life for residents by promoting health, wellness, and economic stability for all, including the most vulnerable in our community. The mission of MCF is to guarantee a quality community for all by working together as diverse, committed individuals and organizations to make an impact that improves the overall well-being of the community.

MCF adheres to the purchasing policies of the City of Montclair. According to the City's purchasing manual, major purchases over \$1,000 will need to receive Board approval. Staff recommends the purchase of a one-year subscription to Foundation Directory Online which is \$1,499.

MCF has received limited grant funding from private organizations for youth programs, specifically for the Montclair to College program. Staff would like to pursue more grant funding for initiatives that would benefit the community in the future. To be proactive at finding funding opportunities that fit the priorities of the Foundation, it is beneficial to utilize a service that reports current funding opportunities that MCF is eligible to pursue. Foundation Directory Online is a database of 140,000 grantmakers that is updated weekly. The database includes multiple filters and tools to help find funding opportunities that fit the needs of MCF. With a subscription, MCF will have access to recipient profiles of previous grants to give staff insight on what the funder is looking for in an applicant.

If approved, the one-year subscription would be valid from June 2019-June 2020.

FISCAL IMPACT: Should the MCF Board approve the purchase of a one-year subscription to Foundation Directory Online, MCF will pay \$1,499 plus tax with grant funding, a portion of which is required to be spent on professional development and/or capacity building opportunities.

RECOMMENDATION: Staff recommends the Montclair Community Foundation Board of Directors approve the purchase of a one-year subscription to Foundation Directory Online to improve MCF's ability to receive grants.



AGENDA REPORT

DATE:	JUNE 17, 2019	FILE I.D.:	COC050
SECTION:	AGREEMENTS	DEPT.:	ECONOMIC DEV.
ITEM NO.:	1	PREPARER:	T. MARTIN
SUBJECT:	CONSIDER APPROVAL OF AGREEMENT NO. 19-48 WITH THE MONTCLAIR CHAMBER OF COMMERCE TO PROVIDE SERVICES TO STRENGTHEN AND ENHANCE LOCAL ECONOMIC DEVELOPMENT ACTIVITIES		

REASON FOR CONSIDERATION: The City Council is requested to consider approval of Agreement No. 19-48 with the Montclair Chamber of Commerce to provide services to strengthen and enhance local economic development activities.

BACKGROUND: The Montclair Chamber of Commerce was organized in 1958 and has offered its services to the local business community since that time. The Montclair Chamber of Commerce promotes business growth and a business-friendly climate in the Montclair community.

Agreement No. 19-48 would provide funding to the Montclair Chamber of Commerce, a partner agency, for the following services to support economic development in the City of Montclair:

- Monitor and aid in the retention, expansion, and development of existing businesses.
- Promote Montclair as an attractive and prime location for business operations.
- Provide for the support and nurturing of businesses and the development of an entrepreneurial environment through cooperation with other local, county, state, and federal economic development organizations.
- Endeavor to represent all business interests wherever located in the City of Montclair and to conduct its affairs in such a way as to benefit all businesses and areas of the City.

The term of Agreement No. 19-48 is July 1, 2019 through June 30, 2020.

FISCAL IMPACT: If approved by the City Council, the Montclair Chamber of Commerce would receive \$15,000 payable in equal quarterly payments of \$3,750. This amount was included in the City Budget in the Economic Development Fund for Fiscal Year 2019-20.

RECOMMENDATION: Staff recommends the City Council approve Agreement No. 19-48 with the Montclair Chamber of Commerce to provide services to strengthen and enhance local economic development activities.

AGREEMENT NO. 19-48

CITY OF MONTCLAIR
5111 BENITO STREET
MONTCLAIR, CALIFORNIA 91763

ECONOMIC DEVELOPMENT AGREEMENT

THIS ECONOMIC DEVELOPMENT AGREEMENT ("Agreement") is made and entered into this 1st day of July, 2019, by the City of Montclair, hereinafter referred to as the "CITY," and the Montclair Chamber of Commerce, hereinafter referred to as the "CHAMBER."

1. Recitals

a. The parties hereto agree that it is the best interest of the **CITY** and the **CHAMBER** to strengthen and enhance economic development activities within the **CITY** and the **CHAMBER** through an Agreement renewed annually by the close of each current fiscal year.

b. The parties hereto agree that all funding provided by the **CITY** for this venture will be expended to fulfill a public purpose, that is economic development, and that periodic auditing will be performed in order to assure that the funds provided by the **CITY** will be utilized only for public purposes as set forth herein.

2. Agreement

a. NOW THEREFORE, in consideration of the mutual promises and covenants contained herein, the receipt and sufficiency of which are hereby acknowledged by the parties, the parties here to agree as follows:

ARTICLE 1 - RECITALS

The parties acknowledge and agree that above state recitals are true and correct and incorporated herein by reference.

ARTICLE 2 - SERVICES

The **CHAMBER** desires to engage in economic development efforts for the **CITY** area which shall include, but not limited to, the following:

- a. Employ a President/CEO who is an economic development professional with the requisite knowledge, skills, expertise necessary to lead the economic development efforts.
- b. Advise private business concerns located within the **CITY**, existing business and the business community of the available opportunities within the **CITY** and within its utilities service area of which they may take advantage and

counsel them regarding their suitability to participate in available county, state, and federal economic development programs and grants.

- c. Monitor and aid in the retention, expansion and development of existing businesses.
- d. Advise and counsel private business concerns about the development of infrastructure plans for the expansion of business districts and the creation of business and industrial parks.
- e. Advise and counsel private business concerns of strategies designed to foster the best possible pro-business environment within the **CITY**.
- f. Promote the **CITY** as a location for business operations, clean manufacturing, and research and development companies.
- g. Serve as an information source for those interested in economic development and provide relevant referrals to all requests for economic development information, including up-to-date trade area demographics and inventories of available property (retail, industrial, office, etc.).
- h. Provide a **CHAMBER** web page to be linked to the **CITY**'s web site. The web page shall be updated continuously to provide the most current information concerning economic development in the **CITY** and surrounding trade area for the purpose of furthering the mission of the **CHAMBER**.
- i. Provide for the support and nurturing of businesses and the development of an entrepreneurial environment through cooperation with other local, county, state, and federal economic development organizations.
- j. Endeavor to represent all business interests wherever located in the **CITY** and to conduct its affairs in such a way as to benefit all businesses and areas of the **CITY**.
- k. Host the annual State of the City address in collaboration with the **CITY**'s Economic Development Coordinator, **CITY** staff, and the **CITY** Council.

ARTICLE 3 – PLACE OF WORK

It is understood that the **CHAMBER** will administer services largely at 8880 Benson Avenue, Suite 110, Montclair, California 91763; although the **CHAMBER** will, on request, come to City Hall or such other places as designated by the **CITY** to meet with **CITY**'s representatives.

ARTICLE 4 – PAYMENT

The **CITY** will pay the **CHAMBER** the total sum of \$15,000 annually payable in equal quarterly payments of \$3,750 on or before the 30th day of the beginning of each quarter.

ARTICLE 5 – REPORTING

- a. The **CHAMBER** will submit and present to the **CITY** annually a receipt and expenditure report on the use of **CITY** funds.

ARTICLE 6 – RELATIONSHIP OF PARTIES

- a. The **CHAMBER** is an independent entity and not a department, agency or subdivision of the **CITY**. The **CITY** and the **CHAMBER** are two separate and autonomous entities.
- b. **CHAMBER** 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 **CHAMBER** shall at all times be under **CHAMBER'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 **CHAMBER** or any of **CHAMBER's** officers, employees, or agents, except as set forth in this Agreement. **CHAMBER** 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**. **CHAMBER** shall not incur or have the power to incur any debt, obligation, or liability whatever against **CITY**, or bind **CITY** in any manner. No employee benefits shall be available to **CHAMBER** in connection with the performance of this Agreement. Except for the fees paid to **CHAMBER** as provided in the Agreement **CITY** shall not pay salaries, wages, or other compensation to **CHAMBER** for performing services hereunder for **CITY**. **CITY** shall not be liable for compensation or indemnification to **CHAMBER** for injury or sickness arising out of performing services hereunder.
- c. The **CITY** and the **CHAMBER** acknowledge that this Agreement is not a delegation of any public function of the **CITY** and that neither party will play an integral part in either party's decision-making process by reason of this Agreement.

ARTICLE 7 – DURATION

- a. The initial term of this Agreement shall be for a period of one (1) year commencing July 1, 2019, and continuing through June 30, 2020; this **AGREEMENT** may be renewed annually.
- b. Either party may terminate this Agreement upon ninety (90) days written notice to the other party.
- c. Any notice required or allowed hereunder shall be in writing and sent by certified mail, return receipt requested, or in person with proof of delivery, to the address first listed above, or such other addresses as either party shall have specified by written notice to the other party delivered in accordance herewith.

ARTICLE 8 – NONDISCRIMINATION

- a. The **CHAMBER** shall not discriminate against any employee or person served under this Agreement on account of race, color, sex, age, religion, ancestry, national origin, handicap, or marital status or as otherwise prohibited by applicable law.

ARTICLE 9 – MISCELLANEOUS

- a. The **CHAMBER** acknowledges that the **CITY**, during any fiscal year, shall not expend money, incur any liability, or enter into any agreement which, by its terms, involves the expenditure of money in excess of the amounts budgeted or the reduction of revenues for those budgeted agreements that may be available for expenditure during such fiscal year. Any agreement, verbal or written, made in violation of this subsection is null and void; and no money may be paid on such agreement. Nothing herein contained shall prevent the making of agreement for a period of exceeding one year, but any agreement so made shall be executed only for the value of the services to be rendered or agreed to be paid for in succeeding fiscal years. Accordingly, the **CITY's** performance and obligation to pay under this Agreement is contingent upon annual appropriation.
- b. The **CHAMBER** shall obtain and possess throughout the term of this Agreement all licenses and permits applicable to its operations under federal, state, and local laws.
- c. The **CHAMBER** shall at all times maintain its status as a private not-for-profit corporation, organized and created under the laws of the State of California.
- d. This Agreement may be modified or amended by mutual written agreement of the parties, duly executed by both parties.
- e. This Agreement contains all the terms and conditions agreed upon by the parties.
- f. This Agreement shall be governed and construed in accordance with the laws of the State of California. The venue of any legal action to enforce or interpret this Agreement shall be in San Bernardino County, California.
- g. This Agreement shall inure to the benefit of and shall be binding upon the parties hereto and their respective successors and assigns.
- h. In the event any provision of this Agreement shall be held invalid or unenforceable by a court of competent jurisdiction, such holding shall not invalidate or render unenforceable any other provision hereof.
- i. If any party seeks to enforce or interpret this Agreement through litigation, each party shall bear its own attorney's fees and costs incurred.

- j. Each person executing this Agreement warrants that he or she has the authority to so execute this Agreement and that no further approval of any kind is necessary to bind the parties hereto.
- k. The **CHAMBER** 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 **CHAMBER** 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 **CHAMBER** to comply with this Section.
- l. 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 economic development activities during his/her tenure or for one year thereafter, shall have any interest, direct or indirect, in any agreement or subagreement, or the proceeds thereof, for work to be performed in connection with the activities performed under this Agreement.
- m. **CHAMBER** agrees to defend, indemnify, and hold harmless the **CITY**, its officers, employees, agents, and volunteers from any and all liabilities for injury to persons and damage to property arising out of any act or omission of **CHAMBER**, its officers, employees, agents, or volunteers in connection with **CHAMBER's** performance of its obligations under this Agreement.

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

"CITY"

5111 Benito Street
Montclair, CA 91763
(909) 626-8571

"CHAMBER"

8880 Benson Avenue, Suite 110
Montclair, CA 91763
(909) 985-5104

By: _____
Javier John Dutrey
Mayor

By: _____
Tim Walborn
Board Chair

Date: _____

Date: _____

ATTEST:

Andrea M. Phillips
City Clerk



AGENDA REPORT

DATE:	JUNE 17, 2019	FILE I.D.:	HSV043
SECTION:	AGREEMENTS	DEPT.:	HUMAN SVCS.
ITEM NO.:	2	PREPARER:	A. COLUNGA
SUBJECT:	CONSIDER APPROVAL OF AGREEMENT NO. 19-52 WITH SERVICEMASTER 360 PREMIER CLEANING TO PROVIDE CUSTODIAL SERVICES AT THE FAMILY RESOURCE CENTER		

REASON FOR CONSIDERATION: The City Council is requested to consider the approval of Agreement No. 19-52 with ServiceMaster 360 Premier Cleaning to provide custodial services for the Family Resource Center (FRC).

BACKGROUND: The Montclair Community Collaborative (MCC) was organized in 1996 to collectively strengthen the community. The mission of MCC is "to guarantee a progressive quality community for all by working together as diverse, committed individuals and organizations."

Through the MCC partnership, Ontario-Montclair School District (OMSD) has used the FRC, located at 9916 Central Avenue, since 2011 to provide case management services, parenting classes and counseling for OMSD students and their families. OMSD requested cleaning services at FRC; however, the City's current custodial staff is not able to take on this additional task at this time. Estimated overtime costs for City Staff to clean the FRC is \$22,000; whereas, the cost of one year with ServiceMaster 360 Premier Cleaning Service is \$453.33 per month or \$5,439.96 for 12 months.

The term of proposed Agreement No. 19-52 is July 1, 2019 through June 30, 2020.

FISCAL IMPACT: OMSD use of the FRC from July 1, 2019 through June 30, 2020 was approved in Agreement No. 19-46 by the City Council at its meeting on June 3, 2019. Funds received from OMSD through Agreement No. 19-46 will pay for the cleaning service at \$453.33 per month. There will be no impact to the City's General Fund.

RECOMMENDATION: Staff recommends the City Council approve Agreement No. 19-52 with ServiceMaster 360 Premier Cleaning to provide custodial services at the Family Resource Center.

JANITORIAL SERVICES PROPOSAL

AGREEMENT NO. 19-52



Respectfully Submitted to:

Marcia Richter
5111 Benito St. or
P.O. Box 2308
Montclair, CA
Phone: (909) 625-9453
mrichter@cityofmontclair.org

Respectfully Submitted by:

Pete Santos Jr
ServiceMaster 360 Premier Cleaning
17096 Sequoia # 115
Hesperia, CA 92345
760-947-9962
Fax 760-948-4108
Sergio@sm360pc.com



June 10, 2019

Marcia Richter
5111 Benito St or
P.O. Box 2308
Montclair, CA

Dear Marcia,

Thank you for the opportunity to Re-submit this ServiceMaster Clean Proposal for Environmental services at your facilities located in Montclair California.

The following pages contain detailed exhibits for each segment of this proposal:

Description

- **Task Schedule** • **Pricing Analysis** • **Agreement**

It was great talking with you and discussing your facilities needs. I want to ensure you that with our service you will get an extraordinary clean and dependability. One of our top priorities is to maintain communication and quality.

We have plans and steps put into place to ensure your facility is being maintained properly. There will be monthly quality inspections and communication log on site. You will also have direct contact with me by phone day or night.

We fully understand the importance of having a quality individual to clean your facility. All of our employees receive background checks and drug screening. Our number one concern is to provide a safe environment for your staff and our employees.

We also offer Emergency Service. What is your plan when a pipe bursts flooding your facility, or your facility has smoke damage from a fire? ServiceMaster Clean can help you strategize a solution to ensure that your facility is back up and running in no time and also help to limit the damage to your facility and cost of repair. Please call me if you are interested in getting an Emergency Service Plan together.

Please look over the task schedule and let me know if there is anything else that might need to be added or changed. This task schedule will be place in the communication log on site to ensure that it is being followed.

I again, thank you for the opportunity to summit this proposal. We look forward to the opportunity to serve you. We are prepared to begin a partnership with your company that

will provide you with “the cleaning you expect and the service you deserve,” allowing you to focus your energy in your other areas of responsibility.

If you have any concerns or questions with the proposal please call me.

Sincerely,

Pete Santos Jr
ServiceMaster 360 Premier Cleaning

COMMITMENT AND GUARANTEE

At ServiceMaster Clean, we are committed to providing you with excellent service that we guarantee it. Our 5-Point ServiceMaster Guarantee states:

- We will answer your call anytime, day or night
- We will respond to your service needs within 12 hours after receiving your call
- We will provide open communication on a daily basis
- We will perform all services as agreed upon in our contract
- We will show we care by our professional appearance and manner, and by the products and procedures we use.

STATEMENT OF CONFIDENTIALITY

The data herein and any data accompanying this document or made available to Montclair human services department in connection with this request for proposal are confidential and proprietary to ServiceMaster Residential/Commercial Services LP (ServiceMaster 360 Premier Cleaning)

Disclosure to Customer is solely for the purpose of soliciting a Service Proposal or Contract from your company. The Customer shall treat the information contained in this document and all accompanying materials as confidential. Accordingly, the Customer shall not copy, distribute, or otherwise disclose the information contained in this document to any party other than its employees and advisors with a need to know in order to provide Customer with the information contained in this document.

Exception will be made where the information is available in the public domain through no breach of confidence by the Customer or where it is available from some source other than ServiceMaster Clean without a breach of confidentiality with Customer.

CLEANING TASK SCHEDULE
Human Services Department City of Montclair
 Facility approx. 1,024 sq. ft.

Offices and General Areas	
Empty Trash & spot Clean	Each Visit
Spot Clean walls by trash can	Each Visit
Dust Horizontal surfaces with vacuum dust wand	Each Visit
Dusting of Blinds	1x a Week
Spot Clean All doors, door jams and window sills	Each Visit
Spot Clean Vents	1x a Week
High Dust with wand	1x a Week
Low dust with wand	1x a Week
Vacuum wall to wall with sidewinder	Each Visit
Vacuum Traffic Lanes	Each Visit
Vacuum carpet mats	Each Visit
Mop floor	Each Visit
Inspect	Each Visit
Restrooms	
Sweep floor	Each Visit
Refill dispensers	When Needed
Empty trash	Each Visit
Clean mirrors	Each Visit
Clean sinks	Each Visit
Clean flushable	Each Visit
Vacuum wall to wall with sidewinder	Each Visit
Mop floor	Each Visit
Inspect	Each Visit
Wipe Down Walls	1X a Week
Interior Windows	
Clean	1x a Month

GENERAL CLEANING

ServiceMaster personnel will notify building contact of any irregularities such as defective plumbing, unlocked doors, and lights left on.
 ServiceMaster personnel will turn off all lights except those to be left on, close windows and secure building
 Daily review/check communication log
 Monthly customer visit by Account Manager

SERVICEMASTER CLEAN PRICING
Human Services Department City of Montclair

Option #1

1 Days per week service \$453.33/Monthly

FLOOR MAINTENANCE PROGRAM

Wood Tile sealer \$365.40/Per Occurrence

(Recommended Every 6 Months)

Our prices included all labor, cleaning materials, equipment, taxes, insurance, and supervision necessary to perform contracted services. Services will be billed at the beginning of service agreement and are due 14 days after receiving invoice.

All paper products, trash container liners, and hand soaps are agreed by both parties to be supplied under the following terms: *Customer Supplied or ServiceMaster Supplied*

A Certificate of Insurance will be provided upon request. This quote will expire on December 4, 2019.

ServiceMaster Clean
Contract Cleaning Services Agreement

THIS AGREEMENT made this July day 1st 2019, by and between ServiceMaster 360 Premier Cleaning (“ServiceMaster Clean”) and the City of Montclair (“City”).

Whereas, ServiceMaster conducts a janitorial service rendered on an individual basis in commercial facilities, office buildings, schools, stores and other locations, as an independent business licensed by ServiceMaster Residential/Commercial Services L.P., DBA ServiceMaster Clean (“Franchisor”) and not an agent or partner of its Franchisor.

Whereas, City desires ServiceMaster to supply contract-cleaning services to the properties commonly known as:

Human Services Department
City of Montclair
5111 Benito St. or
P.O. Box 2308
Montclair, CA 91763

NOW THEREFORE, the parties agree as follows:

1. Task Schedule. Beginning on July 1st 2019 ServiceMaster Clean will provide contract cleaning services for the area to be serviced described in the “Task Schedules,” a true and accurate copy of which is attached to this agreement. ServiceMaster Clean agrees that the janitorial services to be provided shall be conducted according to the guidelines agreed upon between the City and ServiceMaster Clean. ServiceMaster Clean guarantees they will respond to service needs within (12) twelve hours after being contacted and will perform all services as agreed upon in the contact. ServiceMaster Clean guarantees to maintain professional appearance and manner, and by the products and procedures used.
2. Personnel. All personnel furnished by ServiceMaster Clean are employees of ServiceMaster Clean, and ServiceMaster Clean will pay all salaries and expenses of, and all applicable federal and state taxes relating to, such personnel. For all purposes of this contract, ServiceMaster Clean will be considered an independent contractor of the City, and will not act as an agent, servant or employee of the City, or make any commitments or incur any obligations on behalf of the City without its express written consent. City may request the removal of any ServiceMaster Clean employee whose conduct is unsatisfactory to City.
3. Covenants. During the term of this agreement and for one (1) year thereafter, the City shall not directly or indirectly hire any person employed by ServiceMaster Clean. City shall not, at any time, disclose to a competitor any pricing or bid information designated as confidential by ServiceMaster Clean.

Initials: City _____

Initials: ServiceMaster Clean _____

4. Terms. The terms of the task schedule or of the price stated in paragraph 5, may be modified at any time by mutual execution of written change orders by the Parties on the form prescribed by the “Change Order” attached hereto. All executed change orders shall become part of this agreement. ServiceMaster Clean will give the City thirty (30) days prior notice of any price change for services rendered pursuant to the Task Schedule. City will notify ServiceMaster Clean of any changes in service times, any alterations to the furnishings, floor, wall or ceiling surfaces at the City premises, or any other change that affects the Task Schedule and consequently the contract price. This agreement shall continue in effect from the date services are to begin, for a period of one (1) year periods, unless terminated.

5. Payment. The City shall make payment to ServiceMaster Clean for services rendered at the rate of \$453.33 per month. The First billing will be made on the first day services are rendered and shall be payable in fourteen (14) days. Subsequent billings and due dates will be net 15. City’s failure to pay the full amount due within thirty (30) days of any invoice shall, at the election of ServiceMaster Clean, be deemed to be a default and termination without notice by City. A late charge calculated at 1½ % per month will be charged to City on any overdue unpaid balance. City shall pay ServiceMaster Clean its costs and expenses, including reasonable attorney’s fees paid or incurred in enforcing terms of this Agreement.

6. Services. ServiceMaster Clean will perform all services required under this Agreement, except when prevented by strike, lockout, act of God, accident or other circumstances beyond its control.

7. Insurance. ServiceMaster Clean shall provide the insurance coverage set forth below, and deliver to City certificates of insurance upon request.

8. “ To the full extent permitted by Law, ServiceMaster Clean shall indemnify, defend and hold harmless City, and its employees, officials, and agents any liability, claims, actions, loss, expense or cost of any kind, including attorney fees, court cost and expert witness fees, arising out of the performance of this Agreement by ServiceMaster Clean, its officers, employees, agents or subcontractors.”

Comprehensive Liability:

Bodily Injury Liability: \$1,000,000.00 per person and \$1,000,000.00 per occurrence. Property

Damage Liability: \$1,000,000.00 per occurrence and \$2,000,000.00 aggregates Workers

Compensation Coverage: \$1,000,000.00 or as required by law. Bond: \$10,000 per occurrence

Initials: City _____

Initials: ServiceMaster Clean _____

9. Termination. This Agreement may be terminated by either party by giving thirty (30) days notice by certified mail, return receipt requested, addressed to the other party at the address indicated below. In the event thirty (30) days notice is not given, or if City is deemed to have terminated by default by failing to tender payment when due, or by City’s conduct, which makes ServiceMaster Cleans’ performance impossible (including a demand for the return of all City’s keys) then ServiceMaster Clean shall have no obligation to continue its performance, and City shall pay ServiceMaster Clean an amount equal to an additional thirty (30) days of billing as liquidated damages. This additional thirty (30) days of billing shall be calculated from a) the date upon which Contract Service are last performed; or b) the last date of the billing period during which any default or un proper termination occurs, whichever is later. ***If ServiceMaster Clean breaches the terms of the task Schedule, for any reason deemed applicable by the City, the City may terminate ServiceMaster Clean Immediately.**

10. This Agreement contains all of the convents between the parties, and may not be modified except in writing, signed by both parties

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

**Client: Human Services Department
City of Montclair**

**ServiceMaster Clean DBA:
ServiceMaster 360 Premier
Cleaning**

Signed _____

Signed _____

Printed **Javier John Dutrey, Mayor**

Printed _____

Date
June 17, 2019

Date _____

ATTEST:

Andrea M. Phillips, City Clerk



AGENDA REPORT

DATE: JUNE 17, 2019

FILE I.D.: FIN225

SECTION: RESOLUTIONS

DEPT.: FINANCE

ITEM NO.: 1

PREPARER: D. PARKER

SUBJECT: CONSIDER ADOPTION OF RESOLUTION NO. 19-3241 AUTHORIZING APPROVAL OF THE CHANGE IN POPULATION IN SAN BERNARDINO COUNTY DURING 2018 FOR THE PURPOSE OF CALCULATING THE GANN SPENDING LIMIT FOR FISCAL YEAR 2019-20

REASON FOR CONSIDERATION: The City Council is requested to consider adoption of Resolution No. 19-3241 pursuant to Government Code Section 7901, requiring each city to annually adopt a resolution selecting the change in population factor for purposes of calculating the Gann Spending Limit.

A copy of proposed Resolution No. 19-3241 is attached for the City Council's review and consideration.

BACKGROUND: The passage of Proposition 111 in June 1990 requires cities to annually select a change-in-population factor for the purpose of calculating the Gann Spending Limit. For this purpose, Government Code Section 7901 permits cities to select either the change in population within their jurisdictions or within the county in which they are located. This selection must be done by a recorded vote of the governing body of each city.

The change in population in San Bernardino County during 2018 as reported by the State Department of Finance was 0.87 percent. Because it is in the City's best interest to establish the highest possible Gann Spending Limit, and the County's change in population is usually larger than the City's change, staff suggests the City Council choose the percentage change in population in San Bernardino County during 2018 as the change-in-population factor to be used in calculating the limit.

FISCAL IMPACT: There would be no fiscal impact to the City's General Fund should the City Council adopt proposed Resolution No. 19-3241 authorizing approval of the change in population in San Bernardino County during 2018 for the purpose of calculating the Gann Spending Limit for Fiscal Year 2019-20.

RECOMMENDATION: Staff recommends the City Council adopt Resolution No. 19-3241 authorizing approval of the change in population in San Bernardino County during 2018 for the purpose of calculating the Gann Spending Limit for Fiscal Year 2019-20.

RESOLUTION NO. 19-3241

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MONTCLAIR AUTHORIZING APPROVAL OF THE CHANGE IN POPULATION IN SAN BERNARDINO COUNTY DURING 2018 FOR THE PURPOSE OF CALCULATING THE GANN SPENDING LIMIT FOR FISCAL YEAR 2019-20

WHEREAS, California Government Code Section 7901 requires a city to calculate its Gann Spending Limit by choosing either the change in population within its jurisdiction or the change in population within the county in which it is located; and

WHEREAS, the selection of the change in population must be accomplished by a recorded vote of the governing body; and

WHEREAS, the change in population in the San Bernardino County during 2018 was 0.87 percent and that change has historically been higher than the change within the City of Montclair.

WHEREAS, it is in the City's best interest to establish the highest possible Gann Spending Limit.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Montclair hereby approves the change in population in San Bernardino County during 2018 as its change-in-population factor to be used in calculating the Gann Spending Limit for Fiscal Year 2019-20.

APPROVED AND ADOPTED this XX day of XX, 2019.

ATTEST:

Mayor

City Clerk

I, Andrea M. Phillips, City Clerk of the City of Montclair, DO HEREBY CERTIFY that Resolution No. 19-3241 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, 2019, and that it was adopted by the following vote, to-wit:

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

Andrea M. Phillips
City Clerk



AGENDA REPORT

DATE: JUNE 17, 2019

FILE I.D.: FIN225

SECTION: RESOLUTIONS

DEPT.: FINANCE

ITEM NO.: 2

PREPARER: D. PARKER

SUBJECT: CONSIDER ADOPTION OF RESOLUTION NO. 19-3242 ESTABLISHING AN APPROPRIATIONS LIMIT FOR FISCAL YEAR 2019-20 PURSUANT TO ARTICLE 13-B OF THE CALIFORNIA CONSTITUTION AND TO SECTION 7910 OF THE GOVERNMENT CODE

REASON FOR CONSIDERATION: The City Council is requested to consider adoption of Resolution No. 19-3242 establishing an appropriations limit for Fiscal Year 2019-20.

A copy of proposed Resolution No. 19-3242 is attached for the City Council's review and consideration.

BACKGROUND: Government Code Section 7910 requires a city council to establish, by resolution, the city's appropriations limit (Gann Spending Limit) for the following fiscal year pursuant to Article 13-B of the California Constitution. The limit, which restricts the amount of tax revenues spent during the year, is based upon the limit for the preceding year, as adjusted for changes in population and cost of living.

The passage of Proposition 111 in June 1990 requires each city to choose either the percentage change in population within its jurisdiction as its change-in-population factor, or the percentage change in population within the county in which it is located. The City of Montclair elects to use the percentage change in California's per capita personal income, which is available in May of each year, as its change in cost-of-living factor.

This evening, the City Council is also being requested to adopt Resolution No. 19-3242 approving the change in population in San Bernardino County during 2018 as the change-in-population factor to be used in calculating the Fiscal Year 2019-20 appropriations limit.

The change in population in San Bernardino County during 2018 was 0.87 percent. The change in California per capita personal income during 2017 was 3.85 percent. Based on these adjustment factors, the City's appropriations limit for Fiscal Year 2019-20 is \$422,714,022 as established by proposed Resolution No. 19-3242.

FISCAL IMPACT: The City would be authorized to spend all tax revenues received up to \$422,714,022 should the City Council adopt proposed Resolution No. 19-3242.

RECOMMENDATION: Staff recommends the City Council adopt Resolution No. 19-3242 establishing an appropriations limit for Fiscal Year 2019-20 pursuant to Article 13-B of the California Constitution and to Section 7910 of the Government Code.

RESOLUTION NO. 19-3242

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MONTCLAIR ESTABLISHING AN APPROPRIATIONS LIMIT FOR FISCAL YEAR 2019-20 PURSUANT TO ARTICLE 13-B OF THE CALIFORNIA CONSTITUTION AND TO SECTION 7910 OF THE GOVERNMENT CODE

WHEREAS, Article 13-B of the California Constitution limits the appropriations budget of a local government, which is financed by taxes to the appropriations limit (Gann Spending Limit) of the prior fiscal year as adjusted by the change in population and the change in cost of living; and

WHEREAS, Government Code Section 7910 requires that the governing body of each local jurisdiction shall, by resolution, annually establish its appropriations limit for the following fiscal year pursuant to Article 13-B of the California Constitution; and

WHEREAS, at a meeting held on June 17, 2019, the City Council selected the change in cost of living and change in population factors to be used in determining the appropriations limit for Fiscal Year 2019-20; and

WHEREAS, the City of Montclair has determined that said appropriations limit for Fiscal Year 2019-20 is \$422,714,022, and documentation supporting calculation of the limit is available to the public as required by Government Code Section 7910.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Montclair hereby establishes an appropriations limit in the amount of \$422,714,022 for Fiscal Year 2019-20 pursuant to Article 13-B of the Constitution of the State of California and Government Code Section 7910.

BE IT FURTHER RESOLVED that said appropriations limit herein established may be changed as deemed necessary by resolution of the City Council.

APPROVED AND ADOPTED this XX day of XX, 2019.

Mayor

ATTEST:

City Clerk

I, Andrea M. Phillips, City Clerk of the City of Montclair, DO HEREBY CERTIFY that Resolution No. 19-3242 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, 2019, and that it was adopted by the following vote, to-wit:

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

Andrea M. Phillips
City Clerk



AGENDA REPORT

DATE:	JUNE 17, 2019	FILE I.D.:	FIN240
SECTION:	RESOLUTIONS	DEPT.:	CITY MGR./FINANCE
ITEM NO.:	3	PREPARER:	D. PARKER
SUBJECT:	CONSIDER ADOPTION OF RESOLUTION NO. 19-3243 ADOPTING THE CITY OF MONTCLAIR FISCAL YEAR 2019-20 ANNUAL BUDGET		

REASON FOR CONSIDERATION: The governing body of a local government agency annually adopts an Operating Budget. The City Council is requested to consider adoption of Resolution No. 19-3243, formally adopting the City of Montclair Fiscal Year 2019-20 Annual Budget.

A copy of proposed Resolution No. 19-3243 is attached for City Council review and consideration.

BACKGROUND: The City Council reviewed the Fiscal Year 2019-20 Preliminary Budget on June 17, 2019, at an adjourned meeting.

In addition to providing a formal means to adopt the Annual Budget, proposed Resolution No. 19-3243 includes the following fiscal-control provisions:

- The automatic reappropriation of funds into the Fiscal Year 2019-20 Budget to finance outstanding encumbrances as of June 30, 2019.
- The automatic reappropriation of funds into the Fiscal Year 2019-20 Budget to finance capital improvement projects and grants that were not completed during Fiscal Year 2018-19.

The City Council's adoption of Resolution No. 19-3243 would provide for a total Estimated Revenue Budget, including transfers-in, of \$46,341,330, and a total Appropriations Budget, including transfers-out, of \$44,429,636. The General Fund has estimated revenues/transfers-in of \$30,786,656, and appropriation budget/transfers-out of \$30,786,656, leaving an excess of \$0.

FISCAL IMPACT: It is estimated the Fiscal Year 2019-20 Budget would provide for an overall increase in total unreserved fund balances/retained earnings of \$1,911,694 when considering all funds and operations of the City.

RECOMMENDATION: Staff recommends the City Council adopt Resolution No. 19-3243 adopting the City of Montclair Fiscal Year 2019-20 Annual Budget.

RESOLUTION NO. 19-3243

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MONTCLAIR ADOPTING THE FISCAL YEAR 2019-20 BUDGET

WHEREAS, the City Manager submitted to the City Council of the City of Montclair the proposed budget for Fiscal Year 2019-20 including all proposed expenditures, estimated revenues, and estimated fund balances; and

WHEREAS, a copy of the proposed budget is on file in the City Clerk's office for inspection by the public; and

WHEREAS, the City Council duly reviewed the proposed budget at a meeting open to the public on June 17, 2019.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Montclair hereby adopts the proposed budget as the Annual Budget for Fiscal Year 2019-20.

BE IT FURTHER RESOLVED that funds are automatically reappropriated into Fiscal Year 2019-20 for all outstanding purchase orders and unexecuted contracts as of June 30, 2019, for which a valid appropriation exists.

BE IT FURTHER RESOLVED that funds are automatically reappropriated into Fiscal Year 2019-20 for all capital improvement projects included in the adopted budget that have not been completed as of June 30, 2019.

BE IT FURTHER RESOLVED that funds are automatically reappropriated into Fiscal Year 2019-20 for all grants included in the adopted budget that have not been completed as of June 30, 2019.

BE IT FURTHER RESOLVED that department heads and their designees are authorized to transfer funds between object codes within the Services and Supplies Budget provided the funding source remains the same.

BE IT FURTHER RESOLVED that except for personnel cost-of-living adjustments, which are governed by approved Memorandums of Understanding and Agreements, all expenditures from the General Reserve Funds must be expressly authorized by the City Council.

APPROVED AND ADOPTED this XX day of XX, 2019.

ATTEST:

Mayor

City Clerk

I, Andrea M. Phillips, City Clerk of the City of Montclair, DO HEREBY CERTIFY that Resolution No. 19-3243 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, 2019, and that it was adopted by the following vote, to-wit:

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

Andrea M. Phillips
City Clerk



AGENDA REPORT

DATE:	JUNE 17, 2019	FILE I.D.:	FIN220
SECTION:	RESOLUTIONS	DEPT.:	MHC
ITEM NO.:	4	PREPARER:	C. CALDWELL
SUBJECT:	CONSIDER ADOPTION OF RESOLUTION NO. 19-01 ADOPTING THE FISCAL YEAR 2019-20 BUDGET FOR THE MONTCLAIR HOUSING CORPORATION		

REASON FOR CONSIDERATION: Pursuant to state law, the governing body of a local government agency is required to annually adopt an Operating Budget. The Montclair Housing Corporation Board of Directors is requested to consider adoption of Resolution No. 19-01, formally adopting the Montclair Housing Corporation Budget for Fiscal Year 2019-20.

BACKGROUND: The Fiscal Year 2019-20 Preliminary Budget for the Montclair Housing Corporation was submitted to the respective Board of Directors on June 17, 2019.

The Montclair Housing Corporation Board of Directors is requested to approve the Annual Budget for the Montclair Housing Corporation. The expenses related to the Montclair Housing Corporation involve operation and maintenance of 31 properties. The Montclair Housing Corporation manages 17 single-family homes and 80 multifamily units pursuant to a long-term lease with the Montclair Housing Authority.

FISCAL IMPACT: It is estimated the proposed Montclair Housing Corporation Budget would provide for a decrease in total balance of \$186,474 during Fiscal Year 2019-20.

RECOMMENDATION: Staff recommends the Montclair Housing Corporation Board of Directors adopt Resolution No. 19-01 adopting the Montclair Housing Corporation Fiscal Year 2019-20 Annual Budget.

RESOLUTION NO. 19-01

A RESOLUTION OF THE MONTCLAIR HOUSING CORPORATION BOARD OF DIRECTORS ADOPTING THE FISCAL YEAR 2019-20 BUDGET FOR THE MONTCLAIR HOUSING CORPORATION

WHEREAS, the President has submitted to the Board of Directors of the City of Montclair Housing Corporation the Preliminary Budget for Fiscal Year 2019-20 including all proposed expenditures, estimated revenues, and estimated fund balances; and

WHEREAS, a copy of the Preliminary Budget is on file in the Montclair Housing Corporation Secretary's office for inspection by the public; and

WHEREAS, the Montclair Housing Corporation has duly reviewed the Preliminary Budget at an adjourned joint meeting open to the public held on June 17, 2019.

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors of the Montclair Housing Corporation hereby adopts the Preliminary Budget as the Annual Budget for Fiscal Year 2019-20.

BE IT FURTHER RESOLVED that funds are automatically reappropriated into the Fiscal Year 2019-20 Budget for all outstanding purchase orders and unexecuted contracts as of June 30, 2019, for which a valid appropriation exists.

BE IT FURTHER RESOLVED that funds are automatically reappropriated into the Fiscal Year 2019-20 Budget for all capital improvement projects included in the adopted Budget that have not been completed as of June 30, 2019.

APPROVED AND ADOPTED this XX day of XX, 2019.

ATTEST:

Chair

Secretary

I, Andrea M. Phillips, Secretary of the Montclair Housing Corporation, DO HEREBY CERTIFY that Resolution No. 19-01 was duly adopted by the Montclair Housing Corporation Board of Directors at a regular meeting thereof, held on the XX day of XX, 2019, and that it was adopted by the following vote, to-wit:

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

Andrea M. Phillips
Secretary

MINUTES OF THE MEETING OF THE MONTCLAIR
PERSONNEL COMMITTEE HELD ON MONDAY,
JUNE 3, 2019, AT 8:45 P.M. IN THE CITY
ADMINISTRATIVE OFFICES, 5111 BENITO STREET,
MONTCLAIR, CALIFORNIA

I. CALL TO ORDER

Mayor Pro Tem Raft called the meeting to order at 8:45 p.m.

II. ROLL CALL

Present: Mayor Pro Tem Raft, Council Member Johnson, and City Manager Starr

III. APPROVAL OF MINUTES

A. Minutes of the Regular Personnel Committee Meeting of May 20, 2019.

Moved by Council Member Johnson, seconded by Mayor Pro Tem Raft, and carried unanimously to approve the minutes of the Personnel Committee meeting of May 20, 2019.

IV. PUBLIC COMMENT - None

V. CLOSED SESSION


At 8:46 p.m., the Personnel Committee went into Closed Session regarding personnel matters related to appointments, resignations/terminations, and evaluations of employee performance.

At 9:15 p.m., the Personnel Committee returned from Closed Session. Mayor Pro Tem Raft stated that no announcements would be made at this time.

VI. ADJOURNMENT

At 9:15 p.m., Mayor Pro Tem Raft adjourned the Personnel Committee.

Submitted for Personnel Committee approval,



Edward C. Starr
City Manager