

**NOTICE OF TEMPORARY MEETING  
RELOCATION DURING CONSTRUCTION**  
**THIS MEETING WILL BE HELD IN THE  
MONTCLAIR SENIOR CENTER**

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

To be held in the Montclair Senior Center  
5111 Benito Street, Montclair, California

September 3, 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](http://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. **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.*

- VI. **PUBLIC HEARINGS**

Page No.

- A. Second Reading — Consider Adoption of Ordinance No. 19-986 Amending Chapter 6.22 of the Montclair Municipal Code to Permit the Use of Certain Wheeled Recreational Devices in Designated Skateboarding/Skating Areas [CC]

4

- VII. **CONSENT CALENDAR**

- A. Approval of Minutes
  - 1. Regular Joint Meeting — August 19, 2019 [CC/SA/MHC/MHA/MCF]

- B. Administrative Reports
  - 1. Consider Approval of Parcel Merger No. 2019-3 for Six Parcels Generally Located on the Southwest Corner of Central Avenue at Moreno Street [CC] 10
  - 2. Consider Approval of a Conceptual Reeder Ranch Park Plan Associated with the Park Development & Community Revitalization Program Grant Application and Authorizing the Filing of a CEQA Notice of Exemption for the Proposed Project [CC] 22
  - 3. Consider Authorizing the Expenditure of \$34,628 from the Fire Department Fiscal Year 2019-20 Budget to Purchase Auto Extrication Tools [CC] 24
  - 4. Consider Authorizing the Appropriation of \$2,784 from the Federal Asset Forfeiture Fund to Purchase a Steel Storage Container for use by the Assigned Guard Service at the Transcenter [CC] 25
  - 5. Consider Authorizing a \$5,000 Appropriation from the State Asset Forfeiture Fund for the Purchase of Goods and Services for a Public Safety Open House Event to be Held at the Police Department [CC] 27
  - 6. Consider Approval of Warrant Register and Payroll Documentation [CC] 28

- C. Agreements
  - 1. Consider Approval of Agreement No. 19-80, a Labor Agreement for Management (Nonsafety and Safety) Employees Regarding the Terms and Conditions of Employment for the Period of July 1, 2019 to June 30, 2021 [CC]  
  
Consider Approval of Agreement No. 19-81, a Labor Agreement for Executive Management Employees Regarding the Terms and Conditions of Employment for the Period of July 1, 2019 to June 30, 2021 [CC]  
  
Consider Approval of Agreement No. 19-84, a Memorandum of Understanding with the Montclair General Employees' Association for the Period of July 1, 2019 to June 30, 2021 [CC] 29
  - 2. Consider Approval of Agreement No. 19-82, the First Amendment to Agreement No. 17-74 with Moule & Polyzoides Regarding Preparation of the Montclair Place District Specific Plan [CC]  
  
Consider Approval of Agreement No. 19-83, the Second Amendment to Agreement No. 17-75 (as Amended by Agreement No. 18-75) with Dudek Regarding Preparation of the Environmental Documentation for the Montclair Place District Specific Plan [CC] 33

**VIII. PULLED CONSENT CALENDAR ITEMS**

**IX. BUSINESS ITEMS**

- A. Consider Adoption of Resolution No. 19-01 Approving the Issuance of Refunding Bonds in Order to Refund Certain Outstanding Bonds of the Dissolved City of Montclair Redevelopment Agency, Approving the Execution and Delivery of an Indenture of Trust Relating Thereto, Requesting Oversight Board Approval of the Issuance of the Refunding Bonds, Requesting Certain Determinations by the Oversight Board, and Providing for Other Matters Properly Relating Thereto [SA] 40

**X. COMMUNICATIONS**

A. City Department Reports

B. City Attorney

1. Request to Meet in Closed Session Pursuant to GC §54957.6 Regarding Conference with City’s Designated Labor Negotiator Edward C. Starr [CC]

Agency: City of Montclair

Employee Assocs.: Management, Montclair City Confidential Employees Association, Montclair General Employees Association, Montclair Fire Fighters Association, and Montclair Police Officers Association

C. City Manager/Executive Director

D. Mayor/Chairperson

E. Council Members/Directors

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

- |  |    |
|--|----|
| 1. Public Works Committee Meeting — July 18, 2019 [CC] | 47 |
| 2. Real Estate Committee Meeting — July 22, 2019 [CC]  | 52 |
| 3. Personnel Committee Meeting— August 19, 2019 [CC]   | 54 |

**XI. CLOSED SESSION**

**XII. CLOSED SESSION ANNOUNCEMENTS**

**XIII. 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, September 16, 2019, at 7:00 p.m. in the **Montclair Senior Center (location changed due to ongoing construction in the City Council Chambers).***

*Reports, backup materials, and additional materials related to any item on this Agenda distributed to the Acting Bodies after publication 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 2 business days 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 August 29, 2019.*



# AGENDA REPORT

---

<b>DATE:</b>	SEPTEMBER 3, 2019	<b>FILE I.D.:</b>	PRK200-C
<b>SECTION:</b>	PUBLIC HEARINGS	<b>DEPT.:</b>	CITY MGR.
<b>ITEM NO.:</b>	A	<b>PREPARER:</b>	M. FUENTES
<b>SUBJECT:</b>	SECOND READING — CONSIDER ADOPTION OF ORDINANCE NO. 19-986 AMENDING CHAPTER 6.22 OF THE MONTCLAIR MUNICIPAL CODE TO PERMIT THE USE OF CERTAIN WHEELED RECREATIONAL DEVICES IN DESIGNATED SKATEBOARDING/ SKATING AREAS		

---

**REASON FOR CONSIDERATION:** The Montclair Skate Park is a popular attraction in the City. Since the passage of AB 1146 in 2015, which expanded protections to public entities with skateboard parks from additional liability claims, the City has received requests from several members of the community to allow the use of other non-motorized recreational devices besides skateboards and skates, such as BMX (Bicycle Motocross) bicycles and scooters, in the Montclair Skate Park.

The proposed Ordinance would amend Chapter 6.22 of the Montclair Municipal Code related to Regulation of Skateboard/Skating to allow for the use of “other wheeled recreational devices” such as non-motorized bicycles, scooters, or wheelchairs.

A copy of proposed Ordinance No. 19-986 is attached for City Council review and consideration.

**BACKGROUND:** California Health & Safety Code Section 115800 provides immunity to public agencies that adopt ordinances regulating skateboard parks which comply with the requirements of Section 115800.

Assembly Bill 1146 (AB 1146)(Skateboard Park) expanded the immunity previously applicable to skateboard riders to include skate park users operating “other wheeled recreational devices” such as non-motorized bicycles, inline skates, roller skates, scooters, and wheelchairs.

Government Code Section 831.7 provides that a public entity is not liable to a person who participates in a hazardous recreational activity for injury or damage to property or persons. AB 1146 amended previous law (Health and Safety Code Section 115800) to include riders of “wheeled recreational devices” in addition to skateboard riders as engaging in a hazardous recreational activity in certain circumstances.

Health and Safety Code Section 115800(a) requires that the operator of a skateboard park prohibit a person from riding a skateboard or other wheeled recreational device in the skateboard park, unless that person is wearing a helmet, elbow pads, and knee pads.

Health and Safety Code Section 115800(b) provides that, for a skateboard facility owned or operated by a local public agency that is not supervised on a regular basis, the requirements of Section 115800(a) may be satisfied if a public agency:

- Adopts an ordinance requiring riders of skateboards and other wheeled recreational devices to wear a helmet, elbow pads, and knee pads at the skate park; and
- Posts signs at the skate park facility which affords reasonable notice that a person riding a skateboard or other wheeled recreational device must wear a helmet, elbow pads, and knee pads, and that failing to do so will subject the skateboard or wheeled recreational device rider to citation under the ordinance.

Currently, Chapter 6.22 of the Montclair Municipal Codes allows for the use of the following wheeled recreational devices in the Montclair Skate Park:

- Roller skates or in-line skates, including rollerblades: Any shoe, boot, or other footwear to which one or more wheels are attached.
- Skateboard: Any platform of any composition or size to which two or more wheels four inches or less in diameter are attached, which is intended to be ridden or propelled by one or more persons standing or kneeling upon it and to which there is not affixed any seat or any other device or mechanism.

Adoption of proposed Ordinance No. 19-986 would amend Section 6.22.010 of the Montclair Municipal Code to include “other wheeled recreational devices,” which includes non-motorized bicycles and scooters, among the types of wheeled recreational devices allowed for use at the Montclair Skate Park.

**FISCAL IMPACT:** Adoption of Ordinance No. 19-986 would have an undetermined positive fiscal impact on the City’s General Fund in relation to decreases in liability insurance for the City.

**RECOMMENDATION:** Staff recommends the City Council adopt Ordinance No. 19-986 amending Chapter 6.22 of the Montclair Municipal Code related to permit the use of certain wheeled recreational devices in designated skateboarding/skating areas.

ORDINANCE NO. 19-986

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MONTCLAIR AMENDING CHAPTER 6.22 (“REGULATION OF SKATEBOARDING/SKATING”) OF THE MONTCLAIR MUNICIPAL CODE PERMITTING THE USE OF CERTAIN WHEELED RECREATIONAL DEVICES IN THE MONTCLAIR SKATE PARK AND OTHER DESIGNATED SKATEBOARD/ SKATING AREAS**

**WHEREAS**, the City of Montclair, pursuant to the police powers delegated to it by the California Constitution, has the authority to enact laws which promote the public health, safety and general welfare of its citizens; and

**WHEREAS**, the Legislature has designated certain conditions under which the use of skate boards and other wheeled recreational devices at public skate board parks is deemed to be a hazardous recreational activity that creates a substantial risk of injury to participants and spectators; and

**WHEREAS**, the Legislature, in 2015, adopted Assembly Bill 1146 (Jones)(Skateboard Park) which expanded the immunity available to municipalities operating skateboard parks previously applicable to skateboard riders to include skate park users operating “other wheeled recreational devices” such as non-motorized bicycles, in-line skates, roller skates, scooters, and wheel chairs; and

**WHEREAS**, AB 1146 amended Health and Safety Code Section 115800 to include riders of “other wheeled recreational devices” in addition to skateboard riders as engaging in a hazardous recreational activity in certain circumstances; and

**WHEREAS**, Government Code Section 831.7 provides that a public entity is not liable to a person who participates in a hazardous recreational activity for injury or damage to property or persons; and

**WHEREAS**, the City Council considers any use of skate boards, roller skates, in-line skates, non-motorized wheelchairs, bicycles, and scooters at a public skateboard park to be a hazardous recreational activity; and

**WHEREAS**, the City of Montclair owns a skate park that is not supervised by the City on a regular basis; and

**WHEREAS**, all participants and spectators at such facility voluntarily assume the risk of substantial injury.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MONTCLAIR HEREBY ORDAINS AS FOLLOWS:**

**SECTION I.** Chapter 6.22 (“Regulation of Skateboarding/Skating”) is re-titled Chapter 6.22 (“Regulation of Skateboards and Other Wheeled Recreational Devices”)

**SECTION II.** All Sections of Chapter 6.22 (“Regulation of Skateboards and Other Wheeled Recreational Devices”) are hereby repealed and replaced as follows:

**6.22.010 – Definitions.**

For the purposes of this chapter, words, phrases, and terms used in this chapter shall have their ordinary meaning, unless otherwise provided as follows:

**Other wheeled recreational devices** means non-motorized bicycles, scooters, in-line skates, roller skates, or wheelchairs.

**Roller skates or in-line skates**, including rollerblades, means any shoe, boot, or other footwear to which one or more wheels are attached.

**Skate or skating** means the use of a skateboard or other wheeled recreational device in a recreational manner.

**Skateboard** means any platform of any composition or size to which two or more wheels four inches or less in diameter are attached, which is intended to be ridden or propelled by one or more persons standing or kneeling upon it and to which there is not affixed any seat or any other device or mechanism.

**Skateboard/skating area** means a public skateboard park as that term is used in California Health and Safety Code Section 115800(d)(1) or any successor provision thereto and includes any facility, structure, or area designated by resolution of the City Council as a skateboard/skating area in which skateboarding and/or use of other wheeled recreational devices is permitted pursuant to the provisions of this chapter

**Unauthorized wheeled devices** means any motorized wheeled devices or other wheeled recreational device including, but not limited to, unicycles, go-carts, and wagons.

**6.22.020 – Purpose.**

It is the purpose of this chapter to establish regulations for the safe use of designated skateboard/skating area within the City of Montclair.

**6.22.030 – Designated skateboard/skating areas.**

The City Council may designate certain areas as a skateboard/skating area by resolution.

**6.22.040 – Liability.**

The use of any skateboard/skating area is a hazardous recreational activity within the meaning of California Government Code Sections 831.7(a) and (b). Subject to the provisions of that code section, the City of Montclair may not be held liable for any injury incurred by any person participating in any hazardous recreational activity. Skateboard/skating areas are not supervised on a regular basis and all users assume all risks of injury in utilizing the areas.

**6.22.050 – Regulations applicable to the use of designated skateboard/skating areas.**

A. No person shall skate or otherwise be present within any skateboard/skating areas at any time other than during the established as the hours of operation. Hours of operation shall be posted. The hours are subject to change without prior notice.

B. No person shall use any skateboard/skating area for any use other than skating.

C. Each person using the skateboard/skating area must wear a shirt and proper safety equipment including a helmet, elbow pads and knee pads. All such safety equipment must be functional and protective, properly sized, and designed for skating.

D. The use of any other wheeled devices including, but not limited to unicycles, go-carts or wagons is prohibited. No person shall ride or use any unauthorized wheeled device within any skateboard/skating area.

E. No person shall possess or be under the influence of alcohol or drugs of any kind within a skateboard/skating area or in surrounding park areas. Tobacco products are prohibited in the skateboard/skating area and surrounding park areas.

F. No person shall use, consume, or have in his/her possession or control food or beverages within the skateboard/skating area.

G. No person shall litter in any skateboard/skating areas. All persons using a skateboard/skating area must place any trash created or brought to the skateboard/skating area in refuse containers provided by the City. If no refuse container is provided, each person shall be responsible for removing and disposing of such items in an appropriate manner.

H. Spectators are not allowed in the skateboard/skating area.

I. No person shall have a dangerous weapon in his/her possession in the skateboard/skating area. Deadly weapons shall include, but are not limited to guns, knives, bats/clubs or martial arts weapons.

J. No person shall graffiti, tag, or attach any stickers or unauthorized signs

in or upon the skateboard/skating area or anywhere in the surrounding park areas.

K. No person shall use or engage in profanity, reckless or boisterous behavior (including, but not limited to, tandem riding, punching, horseplay and bullying), or any other activity that could endanger the safety of persons using the skateboard/skating area.

L. No person shall ride, or permit to be ridden, any skateboard, roller skates, or other wheeled recreational device in a skateboard/skating area in a reckless manner or with willful disregard for the safety of other persons or property.

M. No person shall skate on curbs, sidewalks, fences, railings, and/or driveways of any City-owned property surrounding or adjoining a skateboard/skating area.

N. No person shall skate, run, stand on, jump from, or otherwise employ any exterior wall or fence surface in the skateboard/skating area.

O. Glass containers or other glass products are prohibited within a skateboard/skating area.

P. No person shall ride, operate, or use a skateboard or other wheeled recreational device unless such equipment is in good repair at all times during use.

Q. No obstacles of any kind, including, but not limited to, ramps or jumps may be placed in the skateboard/skating area.

R. No portion of the skateboard/skating area shall be modified, altered, or added to in any manner.

S. The skateboard/skating area shall not be used if any hazardous conditions exist, including, but not limited to, wet pavement, debris, and/or significant cracks, breaks, or other irregularities in the skating surface of the skateboard/skating area.

T. All organized events utilizing the skateboard/skating area are prohibited without the prior written approval of the Community Development Director or his/her designee.

U. No animals are allowed in the skateboard/skating area.

V. Only one person is permitted to use a skateboard, roller skate, or other wheeled recreational device at any given time. By way of clarification and without limitation, tandem riding is expressly prohibited.

W. The City is not responsible for items that are lost or stolen within the skateboard/skating area.

X. Any person suffering an injury within the skateboard/skating area must promptly report the injury to the City of Montclair.

**6.22.060 - Signs required.**

In order to provide reasonable notice to the public, signs referring to this chapter shall be posted in one or more conspicuous areas at or near the entrance to the skateboard/skating area, setting forth the rules and regulations established in this chapter, including prohibited activities, and stating that any person failing to comply with any provision of this chapter shall be subject to citation (Chapter 1.12 of the Montclair Municipal Code).

**6.22.070 - Ejection and exclusion from designated skateboard/skating area.**

A. Any person who causes or aids and abets in the commission of any of the following at any area designated by the City Council as a skateboard/skating area may be ejected from said area and public parks within the City of Montclair in accordance with the provisions of Section 9.12.250:

1. Interference with any City employee in the performance of the employee's duties;



2. Interference with the use and enjoyment by any other person of the designated skateboard/skating area; or

3. Commission of any public offense within a designated skateboard/skating area.

**6.22.080 – Closure of skateboard/skating area.**

Upon order of the City Manager, Chief of Police, or designee, any area designated by the City Council as a skateboard/skating area may be closed on a temporary basis when violations of this Chapter occur.

**SECTION III. 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 IV. Effective Date.** This Ordinance shall be in full force and effect thirty (30) days after passage.

**SECTION V. 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. 19-986 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

---

<b>DATE:</b>	SEPTEMBER 3, 2019	<b>FILE I.D.:</b>	LDU225-193/MPL050
<b>SECTION:</b>	ADMIN. REPORTS	<b>DEPT.:</b>	PUBLIC WORKS
<b>ITEM NO.:</b>	1	<b>PREPARER:</b>	N. CASTILLO
<b>SUBJECT:</b>	CONSIDER APPROVAL OF PARCEL MERGER NO. 2019-3 FOR SIX PARCELS GENERALLY LOCATED ON THE SOUTHWEST CORNER OF CENTRAL AVENUE AT MORENO STREET		

---

**REASON FOR CONSIDERATION:** Parcel mergers are permitted under the Subdivision Map Act and the Montclair Municipal Code, subject to the approval of the City Council.

**BACKGROUND:** 5060 Montclair Place Lane, LLC has expressed their wish to merge six parcels into a single parcel for the purpose of redevelopment. Such a merger is permitted under both the Subdivision Map Act and the City's Municipal Code. A parcel merger application has been submitted and approved by staff.

The properties in question are generally identified as 5060 Montclair Plaza Lane. Redevelopment at this site is in progress and includes an approximately 130,000 SF building attached to the existing mall structure, which is currently under construction. The 130,000 SF building is proposed to be used for a theater, with restaurants and possibly a bowling/entertainment use on the first floor.

**FISCAL IMPACT:** The merger of these parcels would have no fiscal impact to the City's General Fund.

**RECOMMENDATION:** Staff recommends that the City Council approve Parcel Merger No. 2019-3 for six parcels generally located on the southwest corner Central Avenue at Moreno Street.

CERTIFICATE OF PARCEL MERGER NO. \_\_\_\_\_

EXISTING PARCELS LEGAL DESCRIPTION

THE LAND IS SITUATED IN THE CITY OF MONTCLAIR, COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, AND IS DESCRIBED AS FOLLOWS:

DIVISION 1:

PARCEL A-1:

PARCEL 1 OF PARCEL MAP 9881, IN THE CITY OF MONTCLAIR, COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 117, PAGE(S) 6 TO 11, INCLUSIVE, OF PARCEL MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

PARCEL A-2:

PARCEL 6 OF PARCEL MAP 9881, IN THE CITY OF MONTCLAIR, COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 117, PAGE(S) 6 TO 11, INCLUSIVE, OF PARCEL MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

PARCEL C:

ALL THAT PORTION OF LOT 26, CLAREMONT ORANGE TRACT, IN THE CITY OF MONTCLAIR, AS PER MAP RECORDED IN BOOK 17, PAGE(S) 87, OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, DESCRIBED AS FOLLOWS:

**BEGINNING** AT THE CENTER LINE INTERSECTION OF MORENO STREET AND CENTRAL AVENUE, AS SHOWN ON SAID MAP; THENCE NORTH 89°39'40" WEST, 410.23 FEET ALONG SAID CENTER LINE OF MORENO STREET; THENCE SOUTH 357.65 FEET (375.65 FEET); THENCE EAST, 374.46 FEET; THENCE NORTH 02°07'18" EAST, 53.82 FEET; THENCE NORTH 89°46'00" EAST, 35.00 FEET; THENCE NORTH 0°14'00" WEST, 301.30 FEET TO THE **POINT OF BEGINNING**.

DIVISION 2:

PARCEL 1: CONSISTING OF:

PARCEL A:

THAT PORTION OF LOTS 25, 26, 27 AND 28 OF TRACT NO, CLAREMONT ORANGE TRACT, IN THE CITY OF MONTCLAIR, COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 17, PAGE 87, OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, DESCRIBED AS A WHOLE AS FOLLOWS:

**COMMENCING** AT THE INTERSECTION OF THE CENTERLINES OF MONTE VISTA AVENUE AND SAN JOSE STREET, THE BEARING OF SAID CENTERLINE OF MONTE VISTA AVENUE SOUTHERLY OF SAN JOSE STREET BEING NORTH; THENCE EAST 2053.71 FEET; THENCE NORTH 57°52'02" EAST 9.33 FEET; THENCE NORTH 49°57'45" EAST 94.55 FEET TO THE **TRUE POINT OF BEGINNING**; THENCE CONTINUING NORTH 49°57'45" EAST 539.36 FEET; THENCE NORTH 9°47'32" EAST 189.56 FEET; THENCE NORTH 0°14'00" WEST 60.43 FEET; THENCE NORTH 2°07'18" EAST 305.81 FEET; THENCE WEST 374.26 FEET; THENCE NORTH 00°05'16" EAST, 362.98 FEET (NORTH 363.00 FEET PER SAID DEED) TO A POINT IN THE CENTERLINE OF MORENO STREET, SAID POINT BEING NORTH 89°39'40" WEST 410.23 FEET FROM THE INTERSECTION OF THE CENTERLINES OF MORENO STREET AND CENTRAL AVENUE; THENCE ALONG SAID CENTERLINE OF MORENO STREET NORTH 89°39'40" WEST 260.00 FEET; THENCE SOUTH 870.00 FEET; THENCE EAST 178.00 FEET; THENCE SOUTH 394.32 FEET TO THE **TRUE POINT OF BEGINNING**

CERTIFICATE OF PARCEL MERGER NO. \_\_\_\_\_

EXISTING PARCELS LEGAL DESCRIPTION

PARCEL B:

THAT PORTION OF LOT 26, CLAREMONT ORANGE TRACT, IN THE CITY OF MONTCLAIR, COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, AS PER MAP ON FILE IN BOOK 17, PAGE 87, OF MAPS, RECORDS OF SAN BERNARDINO COUNTY, CALIFORNIA, DESCRIBED AS A WHOLE AS FOLLOWS:

**COMMENCING** AT A POINT ON THE CENTERLINE OF CENTRAL AVENUE SOUTH 00°14'00" EAST 301.30 FEET FROM THE CENTERLINE INTERSECTION OF CENTRAL AVENUE AND MORENO STREET (FORMERLY MORENO AVENUE) AS SHOWN ON SAID MAP; THENCE SOUTH 89°46'00" WEST 35.00 FEET; THENCE SOUTH 02°07'18" WEST 59.17 FEET TO AN ANGLE POINT IN THE MOST EASTERLY LINE OF PARCEL B DESCRIBED IN THE DEED ON FILE IN BOOK 6599, PAGE 881 OF OFFICIAL RECORDS, SAID POINT ALSO BEING THE **TRUE POINT OF BEGINNING**; THENCE WEST 374.26 FEET; THENCE NORTH 5.35 FEET; THENCE EAST 374.46 FEET; THENCE SOUTH 02°07'18" WEST 5.35 FEET TO THE **POINT OF BEGINNING**.

PARCEL C:

THAT PORTION OF LOT 27, CLAREMONT ORANGE TRACT, IN THE CITY OF MONTCLAIR, COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 17, PAGE 87 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, AND OF VACATED SAN JOSE STREET (FORMERLY SAN JOSE AVENUE) ADJACENT, DESCRIBED AS A WHOLE AS FOLLOWS:

**COMMENCING** AT THE INTERSECTION OF THE CENTERLINES OF MONTE VISTA AVENUE AND SAN JOSE STREET, THE BEARING OF SAID CENTERLINE OF MONTE VISTA AVENUE SOUTHERLY OF SAN JOSE STREET BEING NORTH; THENCE EAST 2053.71 FEET TO THAT CERTAIN COURSE DESCRIBED IN THE DEED TO THE STATE OF CALIFORNIA, RECORDED NOVEMBER 27, 1950 IN BOOK 2677, PAGE 545 OF OFFICIAL RECORDS, HAVING A BEARING OF SOUTH 57°44'10" WEST AND A LENGTH OF 84.07 FEET; THENCE NORTH 57°52'02" EAST (SOUTH 57°44'10" WEST PER SAID DEED) 1.81 FEET TO THE **TRUE POINT OF BEGINNING**; THENCE CONTINUING NORTH 57°52'02" EAST 7.52 FEET; THENCE NORTH 49°57'45" EAST 94.55 FEET ALONG THE CERTAIN COURSE IN SAID LAST MENTIONED DEED HAVING A BEARING OF NORTH 49°53' EAST; THENCE NORTH 394.32 FEET; THENCE WEST 78.76 FEET; THENCE SOUTH 459.15 FEET TO THE **POINT OF BEGINNING**.

**EXCEPTING THEREFROM** THE ABOVE MENTIONED PARCELS "A", "B" AND C THE FOLLOWING DESCRIBED PARCELS:

THAT PORTION OF SAID LOT 27 LYING WESTERLY OF THE FOLLOWING DESCRIBED LINE:

**COMMENCING** AT THE INTERSECTION OF THE CENTERLINES OF MONTE VISTA AVENUE AND SAN JOSE STREET, THE BEARING OF SAID CENTERLINE OF MONTE VISTA AVENUE SOUTHERLY OF SAN JOSE STREET BEING NORTH; THENCE EAST 2053.71 FEET TO THAT CERTAIN COURSE DESCRIBED IN THE DEED TO THE STATE OF CALIFORNIA, RECORDED NOVEMBER 27, 1950 IN BOOK 2677, PAGE 545 OF OFFICIAL RECORDS, HAVING A BEARING OF SOUTH 57°44'10" WEST AND A LENGTH OF 84.07 FEET; THENCE NORTH 57°52'02" EAST (SOUTH 57°44'10" WEST PER SAID DEED) 1.81 FEET TO THE **TRUE POINT OF BEGINNING**; THENCE NORTH 459.15 FEET; THENCE WEST 99.24 FEET; THENCE NORTH 870.00 FEET TO THE CENTERLINE OF MORENO STREET AS SHOWN ON SAID MAP.

**CERTIFICATE OF PARCEL MERGER NO. \_\_\_\_\_**

*EXISTING PARCELS LEGAL DESCRIPTION*

*THAT PORTION OF SAID LOT 27 LYING SOUTHERLY OF THE FOLLOWING DESCRIBED LINE:*

***BEGINNING*** AT A POINT ON THE CENTERLINE OF MONTE VISTA AVENUE NORTH 486.84 FEET FROM THE CENTERLINE INTERSECTION OF MONTE VISTA AVENUE AND PALO VERDE STREET (FORMERLY MARGARITA AVENUE); THENCE NORTH 86°27'22" EAST 252.39 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE NORTHERLY HAVING A RADIUS OF 390 FEET; THENCE EASTERLY ALONG THE ARC OF SAID CURVE 104.26 FEET THROUGH A CENTRAL ANGLE OF 15°19'00" TO A TANGENT LINE; THENCE NORTH 71°08'22" EAST 1.25 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE NORTHERLY HAVING A RADIUS OF 4868 FEET; THENCE EASTERLY ALONG THE ARC OF SAID CURVE 314.17 FEET THROUGH A CENTRAL ANGLE OF 03°41'52" TO A POINT OF REVERSE CURVE; THENCE EASTERLY ALONG A CURVE WITH A RADIUS OF 2020 FEET THROUGH A CENTRAL ANGLE OF 01°24'22" AN ARC DISTANCE OF 49.57 FEET TO A TANGENT LINE; THENCE NORTH 68°50'52" EAST 188.44 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE NORTHWESTERLY HAVING A RADIUS OF 1980 FEET; ANGLE OF 07°03'14" TO A TANGENT LINE; THENCE NORTH 61°47'38" EAST 576.39 FEET; THENCE NORTH 58°25'07" EAST 356.82 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE NORTHWESTERLY HAVING A RADIUS OF 2980 FEET; THENCE EASTERLY ALONG THE ARC OF SAID CURVE 439.81 FEET THROUGH A CENTRAL ANGLE OF 08°27'22" TO A TANGENT LINE; THENCE NORTH 49°57'45" EAST 482.35 FEET TO A POINT ON THE CENTERLINE OF CENTRAL AVENUE, SAID LAST MENTIONED POINT BEING SOUTH 00°14'00" EAST 817.87 FEET MEASURED ALONG SAID CENTERLINE FROM THE CENTERLINE OF MORENO STREET (FORMERLY MORENO AVENUE) SHOWN ON SAID MAP OF CLAREMONT ORANGE TRACT.

**CERTIFICATE OF PARCEL MERGER NO. \_\_\_\_\_**

**PROPOSED PARCEL LEGAL DESCRIPTION**

*IN THE CITY OF MONTCLAIR, COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, BEING PARCELS A-1, A-2, AND C OF DIVISION 1 AND PARCELS A, B, AND C OF PARCEL 1 OF DIVISION 2 ALL OF THE GRANT DEED RECORDED FEBRUARY 13, 2014 AS DOCUMENT NO. 2014-0060710, OF OFFICIAL RECORDS OF SAID COUNTY, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:*

**PARCEL 1**

**DIVISION 1:**

**PARCEL A-1:**

*PARCEL 1 OF PARCEL MAP 9881, IN THE CITY OF MONTCLAIR, COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 117, PAGE(S) 6 TO 11, INCLUSIVE, OF PARCEL MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.*

**PARCEL A-2:**

*PARCEL 6 OF PARCEL MAP 9881, IN THE CITY OF MONTCLAIR, COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 117, PAGE(S) 6 TO 11, INCLUSIVE, OF PARCEL MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.*

**PARCEL C**

*ALL THAT PORTION OF LOT 26, CLAREMONT ORANGE TRACT, IN THE CITY OF MONTCLAIR, AS PER MAP RECORDED IN BOOK 17, PAGE(S) 87, OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, DESCRIBED AS FOLLOWS:*

**BEGINNING** AT THE CENTER LINE INTERSECTION OF MORENO STREET AND CENTRAL AVENUE, AS SHOWN ON SAID MAP; THENCE NORTH 89°39'40" WEST, 410.23 FEET ALONG SAID CENTER LINE OF MORENO STREET; THENCE SOUTH 0°05'16" WEST, 357.65 FEET (SOUTH, 375.65 FEET); THENCE NORTH 89°59'58" EAST, 374.45 FEET (EAST, 374.46 FEET); THENCE NORTH 02°07'18" EAST, 53.82 FEET; THENCE NORTH 89°46'00" EAST, 35.56 FEET (35.00 FEET); THENCE NORTH 0°14'00" WEST, 301.30 FEET TO THE **POINT OF BEGINNING**.

**DIVISION 2:**

**PARCEL 1: CONSISTING OF:**

**PARCEL A:**

*THAT PORTION OF LOTS 25, 26, 27 AND 28 OF TRACT NO, CLAREMONT ORANGE TRACT, IN THE CITY OF MONTCLAIR, COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 17, PAGE 87, OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, DESCRIBED AS A WHOLE AS FOLLOWS:*

*(...) INDICATES RECORD DATA PER THE GRANT DEED RECORDED FEBRUARY 13, 2014 AS DOCUMENT NO. 2014-0060710, OF OFFICIAL RECORDS OF SAID COUNTY*

CERTIFICATE OF PARCEL MERGER NO. \_\_\_\_\_

PROPOSED PARCEL LEGAL DESCRIPTION

**BEGINNING** AT THE INTERSECTION OF THE CENTERLINES OF MONTE VISTA AVENUE AND SAN JOSE STREET, THE BEARING OF SAID CENTERLINE OF MONTE VISTA AVENUE SOUTHERLY OF SAN JOSE STREET BEING NORTH; THENCE EAST 2053.71 FEET; THENCE NORTH 57°52'02" EAST 9.33 FEET; THENCE NORTH 49°57'45" EAST 94.55 FEET TO THE **TRUE POINT OF BEGINNING**; THENCE CONTINUING NORTH 49°57'45" EAST 539.36 FEET; THENCE NORTH 9°47'32" EAST 189.56 FEET; THENCE NORTH 0°14'00" WEST 60.43 FEET; THENCE NORTH 2°07'18" EAST 305.81 FEET; THENCE WEST 374.26 FEET; THENCE NORTH 00°05'16" EAST, 362.98 FEET (NORTH, 363.00 FEET) TO A POINT IN THE CENTERLINE OF MORENO STREET, SAID POINT BEING NORTH 89°39'40" WEST 410.23 FEET FROM THE INTERSECTION OF THE CENTERLINES OF MORENO STREET AND CENTRAL AVENUE; THENCE ALONG SAID CENTERLINE OF MORENO STREET NORTH 89°39'40" WEST 260.00 FEET; THENCE SOUTH 869.99 FEET (870.00 FEET); THENCE EAST 178.00 FEET; THENCE SOUTH 394.32 FEET TO THE **TRUE POINT OF BEGINNING**.

**PARCEL B:**

THAT PORTION OF LOT 26, CLAREMONT ORANGE TRACT, IN THE CITY OF MONTCLAIR, COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, AS PER MAP ON FILE IN BOOK 17, PAGE 87, OF MAPS, RECORDS OF SAN BERNARDINO COUNTY, CALIFORNIA, DESCRIBED AS A WHOLE AS FOLLOWS:

**COMMENCING** AT A POINT ON THE CENTERLINE OF CENTRAL AVENUE SOUTH 00°14'00" EAST 301.30 FEET FROM THE CENTERLINE INTERSECTION OF CENTRAL AVENUE AND MORENO STREET (FORMERLY MORENO AVENUE) AS SHOWN ON SAID MAP; THENCE SOUTH 89°46'00" WEST 35.56 FEET (35.00 FEET); THENCE SOUTH 02°07'18" WEST 59.15 FEET (59.17 FEET) TO AN ANGLE POINT IN THE MOST EASTERLY LINE OF PARCEL B DESCRIBED IN THE DEED ON FILE IN BOOK 6599, PAGE 881 OF OFFICIAL RECORDS, SAID POINT ALSO BEING THE **TRUE POINT OF BEGINNING**; THENCE WEST 374.26 FEET; THENCE NORTH 00°05'16" EAST 5.33 FEET (NORTH 5.35 FEET); THENCE NORTH 89°59'58" EAST (EAST) 374.46 FEET; THENCE SOUTH 02°07'18" WEST 5.34 FEET (SOUTH 5.35 FEET) TO THE **POINT OF BEGINNING**.

**PARCEL C:**

THAT PORTION OF LOT 27, CLAREMONT ORANGE TRACT, IN THE CITY OF MONTCLAIR, COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 17, PAGE 87 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, AND OF VACATED SAN JOSE STREET (FORMERLY SAN JOSE AVENUE) ADJACENT, DESCRIBED AS A WHOLE AS FOLLOWS:

(...) INDICATES RECORD DATA PER THE GRANT DEED RECORDED FEBRUARY 13, 2014 AS DOCUMENT NO. 2014-0060710, OF OFFICIAL RECORDS OF SAID COUNTY

CERTIFICATE OF PARCEL MERGER NO. \_\_\_\_\_

PROPOSED PARCEL LEGAL DESCRIPTION

**COMMENCING** AT THE INTERSECTION OF THE CENTERLINES OF MONTE VISTA AVENUE AND SAN JOSE STREET, THE BEARING OF SAID CENTERLINE OF MONTE VISTA AVENUE SOUTHERLY OF SAN JOSE STREET BEING NORTH; THENCE EAST 2053.71 FEET TO THAT CERTAIN COURSE DESCRIBED IN THE DEED TO THE STATE OF CALIFORNIA, RECORDED NOVEMBER 27, 1950 IN BOOK 2677, PAGE 545 OF OFFICIAL RECORDS, HAVING A BEARING OF SOUTH 57°44'10" WEST AND A LENGTH OF 84.07 FEET; THENCE NORTH 57°52'02" EAST (SOUTH 57°44'10" WEST PER SAID DEED) 2.47 FEET (1.81 FEET) TO THE **TRUE POINT OF BEGINNING**; THENCE CONTINUING NORTH 57°52'02" EAST 6.86 FEET (7.52 FEET); THENCE NORTH 49°57'45" EAST 94.55 FEET ALONG THE CERTAIN COURSE IN SAID LAST MENTIONED DEED HAVING A BEARING OF NORTH 49°53' EAST; THENCE NORTH 394.32 FEET; THENCE WEST 78.76 FEET; THENCE SOUTH 458.79 FEET (459.15 FEET) TO THE **POINT OF BEGINNING**.

**EXCEPTING THEREFROM** THE ABOVE MENTIONED PARCELS A, B AND C OF LAND, THE FOLLOWING DESCRIBED PARCELS:

THAT PORTION OF SAID LOT 27 LYING WESTERLY OF THE FOLLOWING DESCRIBED LINE:

**COMMENCING** AT THE INTERSECTION OF THE CENTERLINES OF MONTE VISTA AVENUE AND SAN JOSE STREET, THE BEARING OF SAID CENTERLINE OF MONTE VISTA AVENUE SOUTHERLY OF SAN JOSE STREET BEING NORTH; THENCE EAST 2053.71 FEET TO THAT CERTAIN COURSE DESCRIBED IN THE DEED TO THE STATE OF CALIFORNIA, RECORDED NOVEMBER 27, 1950 IN BOOK 2677, PAGE 545 OF OFFICIAL RECORDS, HAVING A BEARING OF SOUTH 57°44'10" WEST AND A LENGTH OF 84.07 FEET; THENCE NORTH 57°52'02" EAST 2.47 FEET (1.81 FEET) TO THE **TRUE POINT OF BEGINNING**; THENCE NORTH 458.79 FEET (459.15 FEET); THENCE WEST 99.24 FEET; THENCE NORTH 869.99 FEET (870.00 FEET) TO THE CENTERLINE OF MORENO STREET AS SHOWN ON SAID MAP.

(...) INDICATES RECORD DATA PER THE GRANT DEED RECORDED FEBRUARY 13, 2014 AS DOCUMENT NO. 2014-0060710, OF OFFICIAL RECORDS OF SAID COUNTY

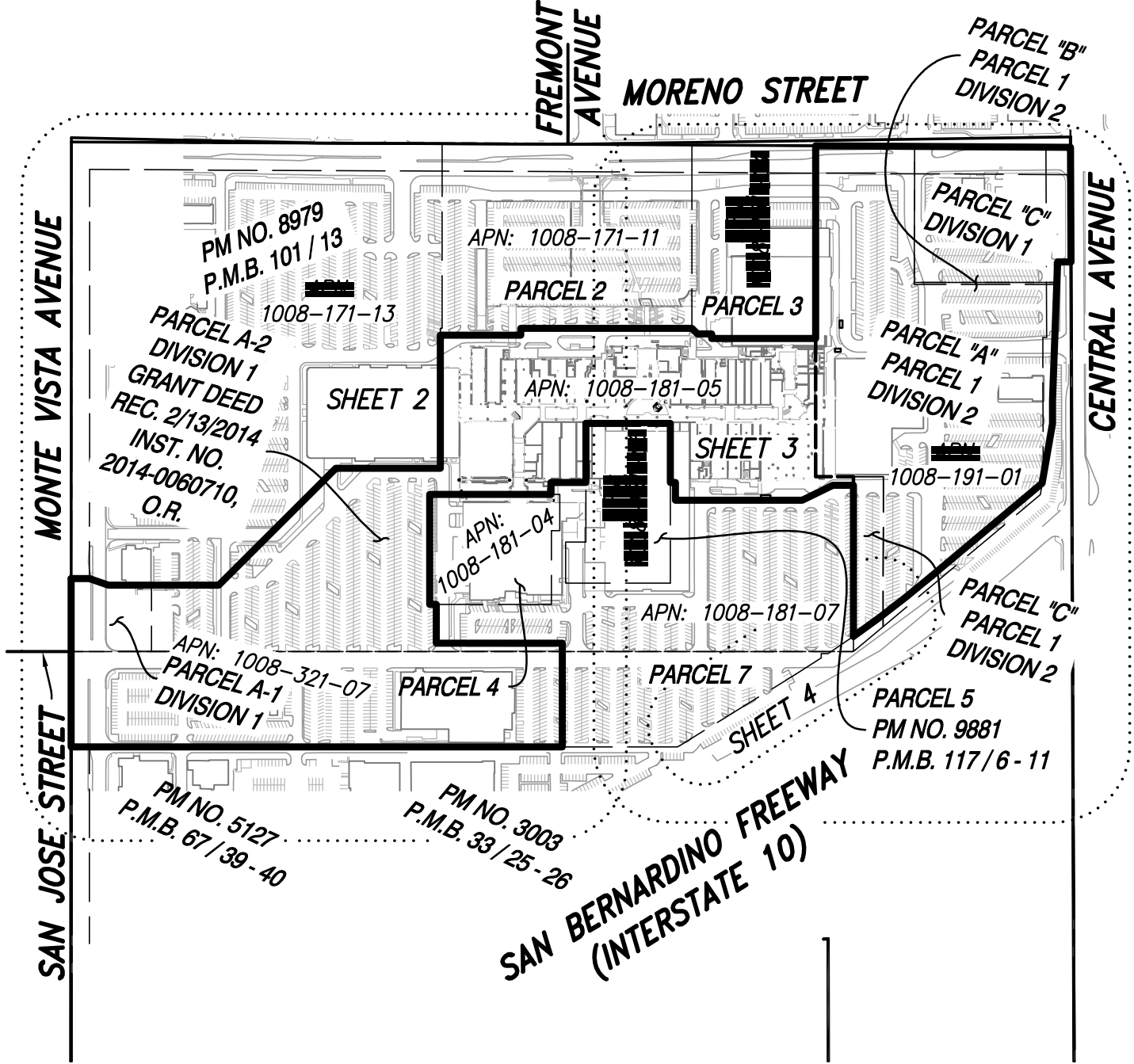




EXHIBIT "B"

CERTIFICATE OF PARCEL MERGER NO. \_\_\_\_\_

SITE PLAN



LEGEND

- PROPOSED PARCEL BOUNDARY
- LOT LINE TO BE REMOVED
- UNDERLYING LOT LINE
- CENTER LINE
- TIE LINE



SCALE: 1"=400'

**EXHIBIT "B"**

**CERTIFICATE OF PARCEL MERGER NO. \_\_\_\_\_**

SITE PLAN  
**MORENO STREET**

**FREMONT AVENUE**

**MONTE VISTA AVENUE**

LINE TABLE		
LINE	BEARING	DISTANCE
L1	N90°00'00"E	222.00'
L2	N90°00'00"W	99.24'

SEE SHEET 3

**PARCEL 2**

PM NO. 8979  
P.M.B. 101 / 13

**PARCEL A-2**  
DIVISION 1  
GRANT DEED  
REC. 2/13/2014  
INST. NO.  
2014-0060710, O.R.

**PARCEL 4**  
PM NO. 9881  
P.M.B. 117 / 6 - 11

**PARCEL 5**

**PARCEL A-1**  
DIVISION 1

**PARCEL 1**





37.915 AC ±

**P.O.B.**

PCL "A" & PCL "C"  
OF PCL 1 OF DIV 1

**SAN JOSE STREET**

**LEGEND**

-  PROPOSED PARCEL BOUNDARY
-  UNDERLYING LOT LINE
-  CENTER LINE
-  TIE LINE

SEE SHEET 3

SCALE: 1"=200'



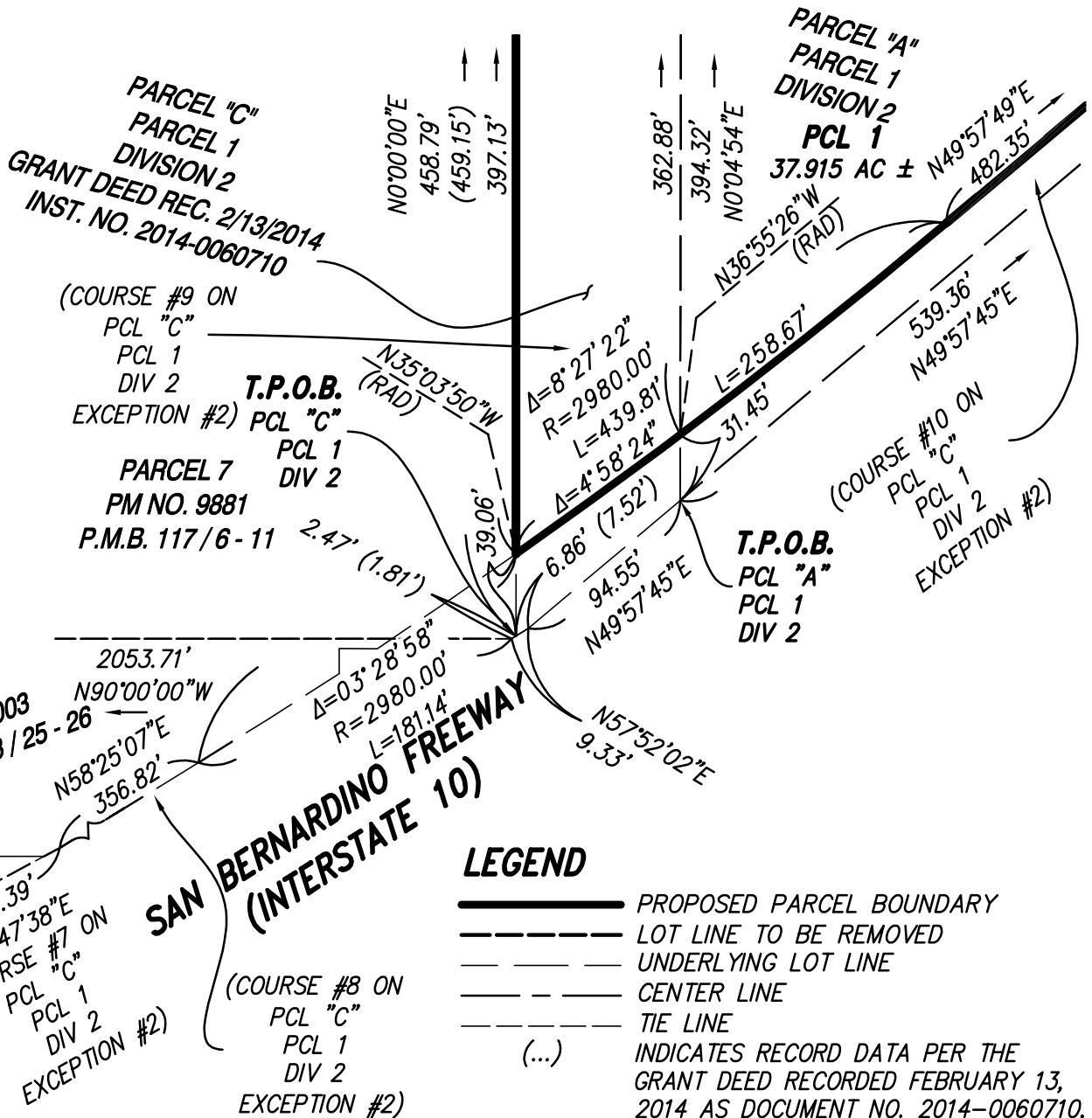
EXHIBIT "B"

CERTIFICATE OF PARCEL MERGER NO. \_\_\_\_\_

SITE PLAN

SEE SHEET 3

SEE SHEET 3



LEGEND

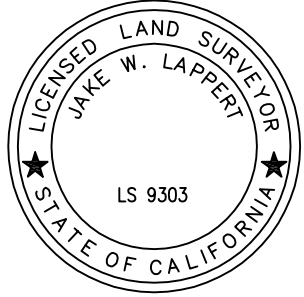
- PROPOSED PARCEL BOUNDARY
- LOT LINE TO BE REMOVED
- UNDERLYING LOT LINE
- CENTER LINE
- TIE LINE
- (...) INDICATES RECORD DATA PER THE GRANT DEED RECORDED FEBRUARY 13, 2014 AS DOCUMENT NO. 2014-0060710, OF OFFICIAL RECORDS OF SAID COUNTY

SURVEYOR:

PREPARED UNDER THE SUPERVISION OF:

*Jake W. Lappert*  
 JAKE W. LAPPERT  
 PLS 9303

08/19/2019  
 DATE



SCALE: 1"=80'



# AGENDA REPORT

---

<b>DATE:</b>	SEPTEMBER 3, 2019	<b>FILE I.D.:</b>	PUB400
<b>SECTION:</b>	ADMIN. REPORTS	<b>DEPT.:</b>	PUBLIC WORKS/COMMUNITY DEV.
<b>ITEM NO.:</b>	2	<b>PREPARER:</b>	N. CASTILLO / M. DIAZ
<b>SUBJECT:</b>	CONSIDER APPROVAL OF A CONCEPTUAL REEDER RANCH PARK PLAN ASSOCIATED WITH THE PARK DEVELOPMENT & COMMUNITY REVITALIZATION PROGRAM GRANT APPLICATION AND AUTHORIZING THE FILING OF A CEQA NOTICE OF EXEMPTION FOR THE PROPOSED PROJECT		

---

**REASON FOR CONSIDERATION:** The City Council must approve a Conceptual Park Plan to satisfy the requirement of the City's application for the Statewide Park Development & Community Revitalization Program Grant to develop the Reeder Ranch Park.

**BACKGROUND:** On June 3, 2019, the City Council approved Resolution No. 19-3239, authorizing City staff to submit an application for a grant from the Statewide Park Development and Community Revitalization Program to develop an undeveloped 1.53-acre City-owned parcel located at 4385 Holt Boulevard as the Reeder Ranch Park.

In keeping with the procedural requirements of the application, staff completed a series of community meetings that culminated in a conceptual park plan that was included in the application submitted on August 5, 2019 (attached as Exhibit A). The proposed Reeder Ranch Park site was once part of the George C. and Hazel H. Reeder Citrus Ranch, and was purchased by the City with the intent of creating a park with additional recreational opportunities for the local residents in this area, and to allow access to educational opportunities for the historic Reeder Ranch landmark. The new park would provide beautiful green space with trees and recreational features, including playground areas, a walking trail, and fitness stations to help improve local health. The conceptual plan also includes a 2,500 square foot Community Center with a stage, restrooms, and a multipurpose room, and on-site parking for 20-22 vehicles. Should the City be successful in obtaining a grant, plans will be professionally prepared and presented for final City Council review and approval.

An additional requirement of the grant application calls for the approval of the conceptual plan and the filing of the appropriate California Environmental Quality Act (CEQA) documentation for the project. As designed, the conceptual park plan would qualify for a CEQA Exemption pursuant to Sections 15303 (New Construction or Conversion of Small Structures), and 15304 (Minor Alterations to Land).

**FISCAL IMPACT:** The filing fee for the CEQA Notice of Exemption is \$50, which will be paid from the General Fund.

**RECOMMENDATION:** Staff recommends the City Council approve the conceptual Reeder Ranch Park Plan associated with the Park Development and Community Revitalization Program Grant application and authorize staff to file a CEQA Notice of Exemption for the proposed project.

# EXHIBIT A

## REEDER RANCH PARK CONCEPTUAL PLAN

HOLT BOULEVARD



REEDER RANCH PARK CONCEPT  
1.53 ACRES

- PARK AMENITIES
- 2,500 sq. ft. Community Center w/ stage, restrooms, multi-purpose room
  - 22 Parking spaces
  - Picnic Benches & BBQ's
  - Boulder Seating areas
  - Play Area w/ equipment
  - Exercise Stations
  - Walking Trail
  - 50+ Trees (deciduous & evergreen)
  - Lighting (LED) □
  - Public Art

HISTORIC REEDER RANCH

decorative fence  
natural drought tolerant landscaping



# AGENDA REPORT

---

<b>DATE:</b>	SEPTEMBER 3, 2019	<b>FILE I.D.:</b>	EQS215-08
<b>SECTION:</b>	ADMIN. REPORTS	<b>DEPT.:</b>	FIRE
<b>ITEM NO.:</b>	3	<b>PREPARER:</b>	D. POHL
<b>SUBJECT:</b>	CONSIDER AUTHORIZING THE EXPENDITURE OF \$34,628 FROM THE FIRE DEPARTMENT FISCAL YEAR 2019-20 BUDGET TO PURCHASE AUTO EXTRICATION TOOLS		

---

**REASON FOR CONSIDERATION:** The City Council is requested to consider authorizing the expenditure of \$34,628 from the General Fund to purchase auto extrication tools. This expenditure was approved in the Fire Department Fiscal Year 2019-20 Budget.

**BACKGROUND:** Currently, Fire Department staff use Holmatro auto extrication tools, which are hydraulic driven using a gasoline-powered hydraulic pump with two hoses attached to a selected tool. The various extrication tools can cut steel door posts, pry open crushed metal doors, and create openings in crushed vehicles to gain access to the occupants inside. With the advent of stronger steel in vehicles and a host of exotic metals used in modern vehicles, the Holmatro auto extrication tools are no longer able to effectively and efficiently cut through crushed vehicles and are at the end of their service life. Furthermore, the company Holmatro is no longer making replacement parts for these tools, making it difficult to replace cutter blades and service the various tools.

Staff contacted several vendors and began testing various types and brands of auto extrication tools. The industry has moved away from the gasoline-powered hydraulic pump tools to a lighter and more ergonomic battery-powered design. The best two battery-powered tool designs chosen for testing were the Hurst eDraulic auto extrication tools and the cordless EVO3 Holmatro auto extrication tools. Both types of tools were tested at Montclair City Yard cutting vehicles in a realistic environment. The new tools have special alloy steel blades that can cut through the new exotic metals used in modern vehicles. The battery-powered tools are also more efficient without the hoses interfering in the operation of the tool, which makes them cost effective and saves time on-scene of an incident, allowing for faster patient removal and transport to a hospital for medical care.

Staff has chosen to replace the current, outdated Holmatro auto extrication tools with the Hurst eDraulic auto extrication tools, consisting of a cutter, spreader, and ram tool. The Hurst eDraulic auto extrication tools were chosen because of weight, ergonomics, battery life, and ease of use. Staff recommends the Hurst eDraulic auto extrication tools be purchased from LN Curtis—the only factory authorized Hurst tool dealer in California for the eDraulic tools. The cost to purchase these tools would be \$34,628.

**FISCAL IMPACT:** Funding for the purchase of auto extrication tools is included in the Fire Department Fiscal Year 2019-20 Budget. Should the City Council authorize this expenditure, \$34,628 would be expended from General Fund Account No. 1001-4533-62030-400.

**RECOMMENDATION:** Staff recommends the City Council authorize the expenditure of \$34,628 from the Fire Department Fiscal Year 2019-20 Budget to purchase auto extrication tools.





# AGENDA REPORT

---

<b>DATE:</b>	SEPTEMBER 3, 2019	<b>FILE I.D.:</b>	PDT360
<b>SECTION:</b>	ADMIN. REPORTS	<b>DEPT.:</b>	POLICE
<b>ITEM NO.:</b>	4	<b>PREPARER:</b>	B. KUMANSKI
<b>SUBJECT:</b>	CONSIDER AUTHORIZING THE APPROPRIATION OF \$2,784 FROM THE FEDERAL ASSET FORFEITURE FUND TO PURCHASE A STEEL STORAGE CONTAINER FOR USE BY THE ASSIGNED GUARD SERVICE AT THE TRANSCENTER		

---

**EASON FOR CONSIDERATION:** The City Council is requested to consider authorizing the appropriation of \$2,784 from the Federal Asset Forfeiture Fund to purchase a steel storage container for use by the assigned guard service at the Transcenter. The existing trailer/structure is unable to properly accommodate the three-wheeled vehicle utilized by the guard service to effectively monitor this large area. Research into modifying the existing facility revealed the cost far exceeded the cost of procuring a replacement storage container for storage and use.

**BACKGROUND:** In January 2018, the City entered into an agreement with Securitas for security guard services at the Transcenter located at 5091 Richton Street. Conditions of the agreement stipulated the assigned guards were to not only monitor the platforms during train arrivals/departures, but also the surrounding bus stops and parking lots. This amounted to an area exceeding 23 acres, encompassing property on both sides of Richton Street. To help facilitate this task, a three-wheeled mobility device (Segway Patroller) was included in the agreement. To maintain and secure the device, the existing mobile trailer was prepared for their use.

Although the initial assessment indicated the device would safely fit up the access ramp, as well as through the standard ADA-compliant door (36-inch width), it became apparent in real-world use to be too narrow to accommodate the device with any margin of error. This resulted in minor damage sustained to both the vehicle and doorway when the vehicle was not lined up properly to fit through the doorway opening. To prevent any further damage to the vehicle and doorway, alternative storage arrangements were sought.

Initial research into modifying the existing structure revealed this option was cost-prohibitive, with the structure already in excess of 30 years old and in disrepair. Use of the device is dependent on a secure location for storage when not in use, sufficient space for safe and easy access, as well as AC power to charge. For secure storage, a steel container is ideal and can be customized with the needed power for charging and secure storage of guard equipment. This method is also the chosen storage method for other municipalities for guard services. Staff determined due to right-of-way permission concerns with CalTrans, the most appropriate location for the container installation would be on the City's right-of-way at the Transcenter.

Several container companies were contacted for pricing, and two of the initial respondent companies, Pac Van and AAA Container Sales and Rentals, quoted costs of \$2,875 and \$2,784, respectively, with delivery included for an 8-foot by 10-foot container with roll-

up door. Other Law Enforcement agencies in the area currently utilize and recommended AAA Container Sales and Rentals. As this company has the lowest cost of the two respondents, staff believes the steel storage container provided by AAA Container Sales and Rentals would be ideal for the above purpose and recommends authorization for its purchase.

**FISCAL IMPACT:** If authorized by the City Council, funding for the purchase of a steel storage container for use by the assigned guard service at the Transcenter would result in an expenditure of \$2,784 from Federal Asset Forfeiture Fund 1144. There would be no impact to the City's General Fund related to this purchase.

**RECOMMENDATION:** Staff recommends the City Council authorize the appropriation of \$2,784 from the Federal Asset Forfeiture Fund to purchase a steel storage container for use by the assigned guard service at the Transcenter.



# AGENDA REPORT

---

**DATE:** SEPTEMBER 3, 2019

**FILE I.D.:** PDT362

**SECTION:** ADMIN. REPORTS

**DEPT.:** POLICE

**ITEM NO.:** 5

**PREPARER:** J. MICHEL

**SUBJECT:** CONSIDER AUTHORIZING A \$5,000 APPROPRIATION FROM THE STATE ASSET FORFEITURE FUND FOR THE PURCHASE OF GOODS AND SERVICES FOR A PUBLIC SAFETY OPEN HOUSE EVENT TO BE HELD AT THE POLICE DEPARTMENT

---

**REASON FOR CONSIDERATION:** The Police Department is hosting a Public Safety Open House on Saturday, October 5, 2019. The City Council is requested to consider authorizing the appropriation of \$5,000 from the State Asset Forfeiture Fund to purchase goods and services that are essential to a successful event.

**BACKGROUND:** Police Department staff will host a Public Safety Open House in the north parking lot of the Police facility on Saturday, October 5, 2019, from 9:00 a.m. to 1:00 p.m. This community outreach event will afford Public Safety personnel an opportunity to engage residents in dialogue about the many responsibilities and concerns of fire and law enforcement agencies, as well as provide residents an opportunity to view equipment demonstrations and see and handle some of the tools of the trade.

Child ID/fingerprint kits and a host of educational and promotional materials that help guide, support, and motivate residents to take an active role in securing a safer community will be available. The event will also include a photo booth, face painting, pancake breakfast, and station tours. There will be public safety scenario-based demonstrations for the residents to watch, and those who wish to test their skills will have an opportunity to use the Police Department's Force Option Simulator.

**FISCAL IMPACT:** If authorized by the City Council, funding for the purchase of goods and services for the Open House would result in an expenditure of \$5,000 from the State Asset Forfeiture Fund (1140). There would be no impact to the City's General Fund related to this event.

**RECOMMENDATION:** Staff recommends the City Council authorize the use of \$5,000 in State Asset Forfeiture funds for the purchase of goods and services for a Public Safety Open House to be held at the Police Department.



# AGENDA REPORT

---

<b>DATE:</b>	SEPTEMBER 3, 2019	<b>FILE I.D.:</b>	FIN540
<b>SECTION:</b>	ADMIN. REPORTS	<b>DEPT.:</b>	FINANCE
<b>ITEM NO.:</b>	6	<b>PREPARER:</b>	L. LEW/V. FLORES
<b>SUBJECT:</b>	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 September 3, 2019; and the Payroll Documentation dated August 4, 2019; and recommends their approval.

**FISCAL IMPACT:** The Warrant Register dated September 3, 2019, totals \$1,226,824.05; and the Payroll Documentation dated August 4, 2019, totals \$650,998.18 gross, with \$459,453.89 net being the total cash disbursement.

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



# AGENDA REPORT

---

**DATE:** SEPTEMBER 3, 2019 **FILE I.D.:** MAN500/EXM500/MGE500

**SECTION:** AGREEMENTS **DEPT.:** ADMIN. SVCS.

**ITEM NO.:** 1 **PREPARER:** J. HAMILTON

**SUBJECT:** CONSIDER APPROVAL OF AGREEMENT NO. 19-80, A LABOR AGREEMENT FOR MANAGEMENT (NONSAFETY AND SAFETY) EMPLOYEES REGARDING THE TERMS AND CONDITIONS OF EMPLOYMENT FOR THE PERIOD OF JULY 1, 2019 TO JUNE 30, 2021

CONSIDER APPROVAL OF AGREEMENT NO. 19-81, A LABOR AGREEMENT FOR EXECUTIVE MANAGEMENT EMPLOYEES REGARDING THE TERMS AND CONDITIONS OF EMPLOYMENT FOR THE PERIOD OF JULY 1, 2019 TO JUNE 30, 2021

CONSIDER APPROVAL OF AGREEMENT NO. 19-84, A MEMORANDUM OF UNDERSTANDING WITH THE MONTCLAIR GENERAL EMPLOYEES' ASSOCIATION FOR THE PERIOD OF JULY 1, 2019 TO JUNE 30, 2021

---

**REASON FOR CONSIDERATION:** The City Council is requested to consider approval of the following: (1) Agreement No. 19-80, a labor agreement regarding the terms and conditions of employment for management (nonsafety and safety) employees for the period of July 1, 2019 to June 30, 2021; (2) Agreement No. 19-81, a labor agreement regarding the terms and conditions of employment for executive management employees for the period of July 1, 2019 to June 30, 2021; and (3) Agreement No. 19-84, a Memorandum of Understanding (MOU) between the City of Montclair and the Montclair General Employees' Association (MGEA) for the period of July 1, 2019 to June 30, 2021. A copy of each of the above-identified MOU and labor agreements are available for the City Council's review and consideration.

**BACKGROUND:** Typically on an annual basis, the City of Montclair considers the terms and conditions of employment for unrepresented employees, which include executive managers, managers (nonsafety and safety), and part-time benefited employees. After some input from the unrepresented employees, the City will memorialize the new terms in a signature agreement, which is presented to the Personnel Committee for approval of pay and benefit increases. The labor agreements are also updated and presented to City Council for approval. The City has concluded its considerations for the unrepresented employees for the period of July 1, 2019 to June 30, 2021, and the following is a summary of each agreement related to the terms and conditions of employment:

1. Agreement No. 19-80: This labor agreement affects the terms of conditions of employment for those employees identified as Management (Nonsafety and Safety) Employees for the period of July 1, 2019 to June 30, 2021, with the Personnel Committee approved the following terms and conditions of employment on August 19, 2019:
  - Article 6 (Section 6.01): This change relates to a salary increase of 3 percent to all classifications identified as Management effective August 19, 2019, and

a second salary increase of 2 percent to all classifications identified as Management effective the first full pay period in July 2020.

- Article 7 (Section 7.01): This change provides for the increase in the benefit fund contribution from \$1,300 per month to \$1,350 per month, per Management (Nonsafety and Safety) Employee, effective July 2020.
  - Article 7 (Section 7.03): This change restructures the retiree medical benefit an employee earns after 25-years of continuous service (or 30-years of service if the last 10 years are continuous and contiguous with the City of Montclair). Under this restructuring, the retiree may remain on City-provided health care, dental, or optical plans or, in the event the retiree moves out of the HMO healthcare coverage areas, he/she is no longer permitted to remain on any City-provided health, dental, or optical plan and must shop for his/her own individual plan. In return, the City will contribute/reimburse up to \$551/month to assist the retiree in paying for his/her health care premiums or Medicare premiums only. This new plan allows an employee to move outside of the City's healthcare HMO coverage areas and still benefit from this earned retiree benefit.
  - Article 43: This change relates to the term of the Agreement.
2. Agreement No. 19-81: This labor agreement affects the terms of conditions of employment for those employees identified as Executive Management Employees for the period of July 1, 2019 to June 30, 2021, with the Personnel Committee approved the following terms and conditions of employment on August 19, 2019:
- Article 6 (Section 6.01): This change relates to a salary increase of 3 percent to all classifications identified as Management effective August 19, 2019, and a second salary increase of 2 percent to all classifications identified as Management effective the first full pay period in July 2020.
  - Article 7 (Section 7.01): This change provides for the increase in the benefit fund contribution from \$1,300 per month to \$1,350 per month, per Management (Nonsafety and Safety) Employee, effective July 2020.
  - Article 7 (Section 7.03): This change restructures the retiree medical benefit an employee earns after 25-years of continuous service (or 30-years of service if the last 10 years are continuous and contiguous with the City of Montclair). Under this restructuring, the retiree may remain on City-provided health care, dental, or optical plans or, in the event the retiree moves out of the HMO healthcare coverage areas, he/she is no longer permitted to remain on any City-provided health, dental, or optical plan and must shop for his/her own individual plan. In return, the City will contribute/reimburse up to \$551/month to assist the retiree in paying for his/her health care premiums or Medicare premiums only. This new plan allows an employee to move outside of the City's healthcare HMO coverage areas and still benefit from this earned retiree benefit.
  - Article 41: This change relates to the term of the Agreement.

Additionally and typically on an annual basis, the City of Montclair negotiates on the terms and conditions of employment with the various labor associations, which include MGEA. Once an agreement is reached with the representative labor association, the City and the respective labor association will memorialize the terms in a signature agreement, which is presented to the Personnel Committee for approval of pay and benefit increases. The MOU between the City and MGEA is then updated and presented to City Council for approval. The City and MGEA concluded negotiations and reached an agreement for the period of July 1, 2019 to June 30, 2021 on August 19, 2019, with the Personnel Committee approving the following terms and conditions of employment on August 19, 2019. The following is a summary of the agreement reached:

- Article 5 (Unit Description): This change relates to adding the classifications “Assistant Public Works Superintendent,” “Building Maintenance Supervisor,” “Leadworker, Building Maintenance,” and “Maintenance Worker II” to the list of classifications represented by MGEA.
- Article 8 (Section 8.01): This change relates to a salary increase of 3 percent to all classifications represented by MGEA effective August 19, 2019 and a second salary increase of 2 percent to all classifications represented by MGEA effective the first full pay period in July 2020.
- Article 8 (Section 8.04): This change expands the benefits granted under the Education Grant Program to permit MGEA members to use up to \$1,250 in one fiscal year toward education provided at a trade school; however, if the member uses this benefit toward a trade school, he/she is not permitted to use the benefit during the same fiscal year toward tuition reimbursement at an accredited college or university.
- Article 8 (Section 8.06): This change expands the Uniform Maintenance Allowance of \$20/month to Code Enforcement Officers represented by MGEA.
- Article 8 (Section 8.07): This change permits eligible MGEA employees to wear composite toe boots in compliance with ANSI/OSHA requirements with some conditions.
- Article 8 (Section 8.08): This change extends the sunset clause for the bilingual pay incentive from June 30, 2021 to June 30, 2030.
- Article 9 (Section 9.01): This change provides for the increase in the benefit fund contribution from \$1,100 per month to \$1,150 per month effective September 2019, per MGEA employee, and a second increase in the benefit fund contribution from \$1,150 per month to \$1,200 per month effective July 2020, per MGEA employee.
- Article 9 (Section 9.03): This change restructures the retiree medical benefit an employee earns after 25-years of continuous service. Under this restructuring, the retiree is no longer permitted to remain on City-provided health care, dental, or optical plans and must shop for his/her own individual plan. In return, the City will reimburse up to \$532.16/month to assist the retiree in paying for his/her health care premiums or Medicare premiums only. This new plan allows an employee to move outside of the City’s healthcare coverage areas or join his/her spouse’s health care plan and still benefit from this earned retiree benefit.

- Article 44: This change relates to the term of the Agreement.

**FISCAL IMPACT:** The fiscal impact associated with ratifying the proposed Agreement Nos. 19-80, 19-81, and 19-84, due to additional compensation, will be funded from the Personnel Adjustment Reserve of the General Fund, as these increases were not included in the original Fiscal Year 2019-2020 Budget.

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

1. Approve Agreement No. 19-80, a Labor Agreement for Management (Nonsafety And Safety) employees regarding the terms and conditions of employment for the period of July 1, 2019 to June 30, 2021;
2. Approve Agreement No. 19-81, a Labor Agreement for Executive Management employees regarding the terms and conditions of employment for the period of July 1, 2019 to June 30, 2021; and
3. Approve Agreement No. 19-84, a Memorandum of Understanding with the Montclair General Employees' Association for the period of July 1, 2019 to June 30, 2021.





# AGENDA REPORT

**DATE:** SEPTEMBER 3, 2019

**FILE I.D.:** MPL050

**SECTION:** AGREEMENTS

**DEPT.:** COMMUNITY DEV./  
ECONOMIC DEV.

**ITEM NO.:** 2

**PREPARER:** M. STAATS

**SUBJECT:** CONSIDER APPROVAL OF AGREEMENT NO. 19-82, THE FIRST AMENDMENT TO AGREEMENT NO. 17-74 WITH MOULE & POLYZOIDES REGARDING PREPARATION OF THE MONTCLAIR PLACE DISTRICT SPECIFIC PLAN

CONSIDER APPROVAL OF AGREEMENT NO. 19-83, THE SECOND AMENDMENT TO AGREEMENT NO. 17-75 (AS AMENDED BY AGREEMENT NO. 18-75) WITH DUDEK REGARDING PREPARATION OF THE ENVIRONMENTAL DOCUMENTATION FOR THE MONTCLAIR PLACE DISTRICT SPECIFIC PLAN

**REASON FOR CONSIDERATION:** As the City Council is aware, the City is currently working on development of the Montclair Place District Specific Plan (Specific Plan). A large portion of the proposed Specific Plan centers on the long term repositioning (over 20 to 30 years) of Montclair Place and the adjoining retail uses. It is also the intent of the Montclair Place District Specific Plan to interconnect with land use policies developed as a part of the amended North Montclair Downtown Specific Plan.

The term of the agreements for consultant services related to preparation of the Montclair Place District Specific Plan has expired. The City Council is requested to extend the terms of Agreement Nos. 17-74 and 17-75 through the adoption of Agreement Nos. 19-82 and 19-83. The amendments would authorize the extension of the terms of the Agreements through December 31, 2020.

Copies of Agreement Nos. 19-82 with Moule and Polyzoides and 19-83 with Dudek are attached for the City Council's review and consideration.

Copies of the prior Agreements with Moule & Polyzoides and Dudek related to the development of the Montclair Place District Specific Plan are also included in the Council's agenda packet for reference by the City Council.

**BACKGROUND:** On April 27, 2015, the Planning Commission approved a Precise Plan of Design (PPD) and a Mitigated Negative Declaration for a project to "expand and enhance Montclair Plaza (Place)." Among other elements, the proposed project called for the development of an additional 465,057 square feet of gross leasable area for retail shops and a new multiplex cinema.

The owners of Montclair Place, CIM Group, are currently working to implement a portion of the approved PPD that included the demolition of the former Broadway department store, construction of a new multiplex theater, and development of several new restaurants. However, CIM found that the market would not support the amount of retail space detailed in the PPD. CIM determined that the four new outdoor shopping districts and corresponding parking structures were not economically feasible given the decrease in demand for brick and mortar retail space.

As such, CIM Group sought to develop a long range strategy for redevelopment of Montclair Place and surrounding area in order to address the deviations affecting the PPD. In place of the PPD approval, development of a new Montclair Place District Specific Plan was proposed. The area surrounding Montclair Place (including Ashley Furniture store location and Entertainment Plaza) were also incorporated in its long-range development plans. The properties not owned by CIM Group were incorporated in the project area because their inclusion forms a cohesive land use and zoning boundary. Because the planning area for the proposed specific plan includes areas outside of CIM Group's property ownership, the City became the applicant for the North Montclair District Specific Plan.

Agreement Nos. 17-74 and 17-75 were approved by the City Council on September 5, 2017. Agreement No. 17-74 authorized Moule & Polyzoides to prepare the Specific Plan for the Montclair Place District Specific Plan and Agreement No. 17-75 authorized Dudek to prepare the Environmental Impact Report for the Specific Plan. The term of both agreements extended from September 19, 2017 until March 18, 2019.

The Specific Plan and environmental documentation process have taken longer than anticipated for several reasons. One reason involved the necessity to prepare a Water Supply Assessment. In August 2018, Dudek informed the City that preparation of a Water Supply Assessment (WSA) for the project was necessary. Preparation of a WSA was not proposed by Dudek as a part of the original project's scope of services. The WSA is a specialized report required by Senate Bill (SB) 610 and its companion legislation SB 221. Adopted in 2001, SBs 610 and 221 were passed to address the growing awareness of the need to incorporate water supply and demand analysis at the earliest stages of land use process.

Under SB 610, the WSA report must be furnished to a local government by a water utility serving that community for inclusion in any environmental documentation for projects meeting certain requirements of the Water Code. SB 221 requires preparation of a Water Supply Verification document from a water utility for projects where 500 or more residential units were proposed. Previously, these requirements were met by receipt of a "will serve" letter from a water utility indicating that the utility could provide water service for the proposed project. However, the California Supreme Court ruled that the California Environmental Quality Act (CEQA), including the provisions of SB 610, require not just an indication that a water utility could supply water to service a project, but also an analysis of the environmental effects of supplying said water. Monte Vista Water District (MVWD) did not have familiarity with the process of preparation of a WSA document. The MVWD approved the preparation of the WSA by Dudek. Therefore, on August 20, 2018, the City Council approved the First Amendment to Agreement No. 17-75—Agreement No. 18-75 authorizing the preparation of the WSA by Dudek. The WSA was completed and approved by MVWD on April 24, 2019.

The process to complete the Montclair Place District Specific Plan has also encountered some delay through staff changes at CIM Group. New staff members must be "brought up to speed" about the Specific Plan and the stages of the environmental process.

At this point, the Specific Plan document is drafted and the Notice of Preparation of the Environmental Impact Report has been submitted for comment as required pursuant to CEQA. With this progress, it is proposed that the terms of Agreement Nos. 17-74 and 17-75 be extended no later than December 31, 2020. Agreement Nos. 19-82 and 19-83 authorize the extension of the terms of the Agreements until December 31, 2020.

**FISCAL IMPACT:** There is no fiscal impact associated with the extension of the terms of Agreement Nos. 17-74 and 17-75. Both Agreements are funded by CIM Group through a Reimbursement Agreement (Agreement No. 17-76) with the City.

**RECOMMENDATION:** Staff recommends the City Council approve the following:

1. Agreement No. 19-82, the First Amendment to Agreement No. 17-74 with Moule & Polyzoides regarding preparation of the Montclair Place District Specific Plan; and
2. Agreement No. 19-83, the Second Amendment to Agreement No. 17-75 (as Amended by Agreement No. 18-75) with Dudek regarding preparation of the environmental documentation for the Montclair Place District Specific Plan.

# AGREEMENT NO. 19-82

## THE FIRST AMENDMENT TO AGREEMENT NO. 17-74 BETWEEN THE CITY OF MONTCLAIR AND MOULE & POLYZOIDES

**THIS FIRST AMENDMENT TO AGREEMENT NO. 17-74** (this “First Amendment”) is entered into as of \_\_\_\_\_ 2019, by and between the City of Montclair, a Municipal Corporation (“City”) and Moule and Polyzoides, Architects and Urbanists, a California Corporation (“Consultant”). In consideration of the mutual covenants and conditions set forth in Agreement No. 17-74 and herein, the parties agree as follows:

### RECITALS

A. The City and Consultant executed an Agreement for Consultant Services (Agreement No. 17-74) on November 5, 2017. Pursuant to the terms of the Agreement Moule & Polyzoides, Architects and Urbanists will provide a Specific Plan document for the area denoted by the City as the Montclair Place District. The Montclair Place District Specific Plan will focus on the preparation of a redevelopment strategy and physical design scheme that transforms the current mall site and the area south of the mall into a walkable, mixed use, compact and diverse open-air town center, and a new downtown for the City of Montclair. The term of Agreement No. 17-74 expired on March 18, 2019.

B. The City and Consultant now propose to extend the term of Agreement No. 17-74 to December 31, 2020.

NOW THEREFORE, the City and Consultant hereby agree as follows:

1. The term of Agreement No. 17-74 shall be amended to extend the date for completion of the project.

2. Section 1 of Agreement No. 17-74 shall be amended to read as follows:

#### 1. TERM

Agreement No. 17-74 commenced on September 18, 2017 and shall continue in effect until tasks described in Agreement No. 17-74 are completed, but in no event later than December 31, 2020, unless sooner terminated pursuant to the provisions of this Agreement.

3. Except as provided above, all other terms of Agreement No. 17-74 shall remain in full force and effect as written. All terms used herein and not defined but defined in Agreement No. 17-74 shall have the meaning given to such terms therein.

4. This First Amendment shall become effective upon adoption by the City Council.

**IN WITNESS WHEREOF**, the City and Consultant have executed this First Amendment as of the date set forth above.

CITY

**CITY OF MONTCLAIR**, a Municipal Corporation

By: \_\_\_\_\_  
Javier "John" Dutrey  
Mayor

**ATTEST:**

\_\_\_\_\_  
Andrea M. Phillips  
City Clerk

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Diane E. Robbins  
City Attorney

CONSULTANT

**MOULE & POLYZOIDES**, a California Corporation

By: \_\_\_\_\_  
(Signature)

Name: \_\_\_\_\_

Its: \_\_\_\_\_

# AGREEMENT NO. 19-83

## THE SECOND AMENDMENT TO AGREEMENT NO. 17-75 BETWEEN THE CITY OF MONTCLAIR AND DUDEK

**THIS SECOND AMENDMENT TO AGREEMENT NO. 17-75** (this “Second Amendment”) is entered into as of \_\_\_\_\_ 2019, by and between the City of Montclair, a municipal corporation (“City”) and Dudek, a California Corporation (“Consultant”). In consideration of the mutual covenants and conditions set forth in Agreement No. 17-75 and herein, the parties agree as follows:

### RECITALS

A. The City and Consultant executed an Agreement for Consultant Services (Agreement No. 17-75) on November 5, 2017. Pursuant to the terms of the Agreement Dudek will provide the Environmental Impact Report (EIR) for the Montclair Place District Specific Plan. In preparation of the EIR, Dudek will comply with the California Environmental Quality Act (CEQA), the current CEQA Guidelines, as well as current case law. Dudek will serve as a public educator of CEQA and the CEQA process. The term of Agreement No. 17-75 expired on March 18, 2019.

B. Agreement No. 17-75 was amended by the City and Consultant on August 20, 2018 (Agreement No. 18-75). This First Amendment (“First Amendment”) to Agreement No. 17-75 authorized the preparation of a Water Assessment Study in compliance with Senate Bill 610, Senate Bill 221, and a 2007 California Supreme Court decision. The Water Assessment Study is required of projects meeting certain threshold in relationship to dwelling units, floor space and number of employees given various land use types.

C. The City and Consultant now propose to extend the term of Agreement No. 17-75 to December 31, 2020.

NOW THEREFORE, the City and Consultant hereby agree as follows:

1. The term of Agreement No. 17-75 shall be amended to extend the date for completion of the project.
2. Section 1 of Agreement No. 17-75 shall be amended to read as follows:

1. TERM

Agreement No. 17-75 commenced on September 18, 2017 and shall continue in effect until tasks described in Agreement No. 17-75 are completed, but in no event later than December 31, 2020, unless sooner terminated pursuant to the provisions of this Agreement.

3. Except as provided above, all other terms of Agreement No. 17-75, as amended by the First Amendment, shall remain in full force and effect as written. All terms used herein and not defined but defined in Agreement No. 17-75 shall have the meaning given to such terms therein.

4. This Second Amendment shall become effective upon adoption by the City Council.

**IN WITNESS WHEREOF**, the City and Consultant have executed this Second Amendment as of the date set forth above.

CITY  
CITY OF MONTCLAIR, a Municipal Corporation

By: \_\_\_\_\_  
Javier "John" Dutrey  
Mayor

**ATTEST:**

\_\_\_\_\_  
Andrea M. Phillips  
City Clerk

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Diane E. Robbins  
City Attorney

CONSULTANT  
DUDEK, a California Corporation

By: \_\_\_\_\_  
(Signature)

Name: \_\_\_\_\_

Its: \_\_\_\_\_



# AGENDA REPORT

---

**DATE:** SEPTEMBER 3, 2019                      **FILE I.D.:** FIN200/SAG070  
**SECTION:** BUSINESS ITEMS                      **DEPT.:** FINANCE/SUCCESSOR RDA  
**ITEM NO.:** A    **PREPARER:** D. PARKER

**SUBJECT:** CONSIDER ADOPTION OF RESOLUTION NO. 19-01 APPROVING THE ISSUANCE OF REFUNDING BONDS IN ORDER TO REFUND CERTAIN OUTSTANDING BONDS OF THE DISSOLVED CITY OF MONTCLAIR REDEVELOPMENT AGENCY, APPROVING THE EXECUTION AND DELIVERY OF AN INDENTURE OF TRUST RELATING THERETO, REQUESTING OVERSIGHT BOARD APPROVAL OF THE ISSUANCE OF THE REFUNDING BONDS, REQUESTING CERTAIN DETERMINATIONS BY THE OVERSIGHT BOARD, AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO

---

**REASON FOR CONSIDERATION:** The California Health and Safety Code (HSC) authorizes the Successor Agency to the City of Montclair Redevelopment Agency (Successor Agency) to undertake proceedings for the refinancing of outstanding bonds and other obligations of the Successor Agency, subject to the conditions contained in HSC §34177.5.

**BACKGROUND:** The City of Montclair Redevelopment Agency (Former Agency) issued tax allocation bonds to raise capital for redevelopment projects and affordable housing. Bond debt service payments on those bonds are funded by property tax revenue. When the Former Agency was eliminated in February 2012, the Successor Agency to the City of Montclair Redevelopment Agency (Successor Agency) assumed responsibility to ensure these debt service payments are made. These payments are classified as enforceable obligations and are reported on the Recognized Obligation Payment Schedule (ROPS). Once approved by the Department of Finance, payments to provide for that debt service are received twice annually. Property taxes collected in excess of the debt service requirements are distributed to the taxing entities in the project areas.

The current economic environment provides the Successor Agency with an opportunity to lower the costs of annual debt service. By lowering the debt service costs additional excess property taxes would result, which would result in an increase in allocations to all taxing agencies. This is in the best interest of the Successor Agency and the taxing entities involved. To meet the statutory prerequisites to accomplish this, the refinancing must be approved by the Montclair Successor Agency, County Oversight Board, and the State Department of Finance.

It is projected by the Underwriter for the proposed bonds that approximately \$11.7 million of savings generated over 16 years, will benefit the taxing agencies with approximately \$7.5 million going to schools, \$1.2 million to San Bernardino County, \$.818 million to the other taxing entities and \$2.1 million to the City.

The tax allocation bonds being considered for refinancing include those issued in 1997, 2001, 2004, 2006 (A and B), and 2007(A and B).



It is anticipated that the refinancing will be split into two series of bonds. The 2019 Series A Bonds will be issued as Federally tax-exempt and the 2019 Series B Bonds will be issued as Federally taxable. The tax status on the bonds is determined by Bond Counsel based on how the proceeds of the previous bonds were spent and Federal Tax Law.

Interest rates on the bonds are conservatively estimated to range from 2 to 5 percent with the resulting yields ranging from 1.5 to 3.2 percent on the tax-exempt series. Current interest rates on the refunded bonds range from 4 to 6 percent. Taxable rates are estimated to range from 2.55 to 3.77 percent with yields the same.

As an added benefit, the strategy put forth will result in two financings being issued to replace seven that are currently outstanding. This will simplify the administration of the bonds and the preparation of the annual ROPS. The new bonds will be payable on April 1 and October 1 and will have a final maturity date of October 1, 2035.

The following information was obtained from Hilltop Securities Inc., as Underwriter for the Bonds, and is provided in compliance with Senate Bill 450 (Chapter 625 of the 2017-2018 Session of the California Legislature) with respect to the Bonds:

1. *True Interest Cost of the Bonds.* Assuming the maximum aggregate principal amount of the Bonds authorized (\$32,410,000) are sold and based on market interest rates prevailing at the time of preparation of this information, a good faith estimate of the true interest cost of the Bonds, which means the rate necessary to discount the amounts payable on the respective principal and interest payment dates to the purchase price received for the Bonds, is 2.858%.
2. *Finance Charge of the Bonds.* Assuming the maximum aggregate principal amount of the Bonds authorized (\$32,410,000) are sold and based on market interest rates prevailing at the time of preparation of this information, a good faith estimate of the finance charge of the Bonds, which means the sum of all fees and charges paid to third parties, is \$885,979 with \$250,000 in professional fees, 243,075 in underwriter's discount and \$392,904 in bond insurance costs.
3. *Amount of Proceeds to Repay Existing Debt.* Assuming the maximum aggregate principal amount of the Bonds authorized (\$32,410,000) are sold and based on market interest rates prevailing at the time of preparation of this information, a good faith estimate of the amount of proceeds expected to be received for sale of the Bonds for refunding escrow requirements less the finance charge of the Bonds described in 2 above and any reserves or capitalized interest paid or funded with proceeds of the Bonds, is \$39,204,558 (estimated as the principal amount of bonds plus bond premium of \$2,998,577 plus debt service reserve funds on hand of \$4,681,960 less 885,979 above).
4. *Total Payment Amount.* Assuming the maximum aggregate principal amount of the Bonds authorized (\$32,410,000) are sold and based on market interest rates prevailing at the time of preparation of this information, a good faith estimate of the total payment amount, which means the sum total of all payments the Successor Agency will make to pay debt service on the Bonds plus the finance charge of the Bonds described in paragraph 2 above not paid with the proceeds of the Bonds, calculated to the final maturity of the Bonds, is \$43,946,589.

The foregoing information constitutes good faith estimates only. The actual interest cost, finance charges, amount of proceeds and total payment amount may vary from the estimates above due to variations from these estimates in the timing of Bond sales, the amount of Bonds sold, the amortization of the Bonds sold and market interest rates at the time of each sale. The date of sale and the amount of Bonds sold will be determined by the Successor Agency based on refunding escrow requirements and other factors. The actual interest rates at which the Bonds will be sold will depend on the bond market at the time of each sale. The actual amortization of the Bonds will also depend, in part, on market interest rates at the time of sale. Market interest rates are affected by economic and other factors beyond the Successor Agency's control.

**FISCAL IMPACT:** Debt service savings to the Successor Agency and taxing entities would allow for higher excess property taxes to be distributed. The City of Montclair receives approximately 18 percent of this distribution. As indicated, it is estimated that additional property taxes available to the City of \$2,126,088 would be obtained over the remaining life of the redevelopment debt with this refinancing. Presently, excess Successor Agency property tax distributions are utilized for Economic Development purposes.

**RECOMMENDATION:** Staff recommends the Successor Agency Board of Directors adopt Resolution No. 19-01 approving the issuance of refunding bonds in order to refund certain outstanding bonds of the dissolved City of Montclair Redevelopment Agency, approving the execution and delivery of an Indenture of Trust relating thereto, requesting Oversight Board approval of the issuance of the refunding bonds, requesting certain determinations by the Oversight Board, and providing for other matters properly relating thereto.

**RESOLUTION NO. 19-01**

**A RESOLUTION OF THE SUCCESSOR AGENCY TO THE CITY OF MONTCLAIR REDEVELOPMENT AGENCY APPROVING THE ISSUANCE OF REFUNDING BONDS IN ORDER TO REFUND CERTAIN OUTSTANDING BONDS OF THE DISSOLVED CITY OF MONTCLAIR REDEVELOPMENT AGENCY, APPROVING THE EXECUTION AND DELIVERY OF AN INDENTURE OF TRUST RELATING THERETO, REQUESTING OVERSIGHT BOARD APPROVAL OF THE ISSUANCE OF THE REFUNDING BONDS, AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO**

**WHEREAS**, pursuant to Section 34172(a) of the California Health and Safety Code (unless otherwise noted, all Section references hereinafter being to such Code), the City of Montclair Redevelopment Agency (the "Former Agency") has been dissolved and no longer exists as a public body, corporate and politic, and pursuant to Section 34173, the Successor Agency to the City of Montclair Redevelopment Agency (the "Successor Agency") has become the successor entity to the Former Agency;

**WHEREAS**, prior to the dissolution of the Former Agency, the Former Agency issued the following series of bonds (collectively, the "Prior Bonds") to provide moneys to finance and/or refinance redevelopment activities for the respective project area of the Former Agency:

- (i) Montclair Redevelopment Project Area No. I 1997 Taxable Tax Allocation Bonds;
- (ii) Montclair Redevelopment Project Area No. III Tax Allocation Refunding Bonds, Issue of 2007A;
- (iii) Montclair Redevelopment Project Area No. III Taxable Tax Allocation Refunding Bonds, Issue of 2007B;
- (iv) Montclair Redevelopment Project Area No. IV 2004 Tax Allocation Refunding Bonds;
- (v) Montclair Redevelopment Project Area No. V 2001 Tax Allocation Refunding Bonds;
- (vi) Montclair Redevelopment Project Area No. V Taxable Tax Allocation Refunding Bonds, Issue of 2006A; and
- (vii) Montclair Redevelopment Project Area No. V Tax Allocation Bonds, Issue of 2006B;

**WHEREAS**, Section 34177.5 authorizes the Successor Agency to issue refunding bonds pursuant to Article 11 (commencing with Section 53580) of Chapter 3 of Part 1 of Division 2 of Title 5 of the Government Code (the "Refunding Law") for the purpose of achieving debt service savings within the parameters set forth in Section 34177.5(a)(1) (the "Savings Parameters");

**WHEREAS**, to determine compliance with the Savings Parameters for purposes of the issuance by the Successor Agency of its 2019 Tax Allocation Refunding Bonds, Series A (the "2019A Bonds") and 2019 Taxable Tax Allocation Refunding Bonds, Series B (the "2019B Bonds," and together with the 2019A Bonds, the "Refunding Bonds"), the Successor Agency has prepared an analysis of the potential savings that will accrue to the Successor Agency and to applicable taxing entities as a result of the use of the proceeds of the Refunding Bonds to refund the Prior Bonds (the "Debt Service Savings Analysis");

**WHEREAS**, the Successor Agency desires at this time to approve the issuance of the Refunding Bonds and to approve the form of and authorize the execution and delivery of the Indenture of Trust, by and between the Successor Agency and U.S. Bank National Association, as trustee, providing for the issuance of the Refunding Bonds (the "Indenture"), and the form of Irrevocable Refunding Instructions to be delivered by the Successor Agency to the trustee for the Prior Bonds (the "Refunding Instructions"), and a bond purchase agreement (the "Purchase Agreement") between the Successor Agency and Hilltop Securities Inc. (the "Original Purchaser");

**WHEREAS**, pursuant to Section 34177.5(f) and Section 34180(b), the issuance of the Refunding Bonds by the Successor Agency is subject to the approval of the San Bernardino Countywide Oversight Board (the "Oversight Board");

**WHEREAS**, the Successor Agency is now requesting that the Oversight Board direct the Successor Agency to undertake the refunding proceedings and to approve the issuance of the Refunding Bonds pursuant to this Resolution and the Indenture;

**WHEREAS**, the Successor Agency further requests that the Oversight Board make certain determinations described below on which the Successor Agency will rely in undertaking the refunding proceedings and the issuance of the Refunding Bonds;

**WHEREAS**, the Successor Agency has determined to sell the Refunding Bonds to the Original Purchaser pursuant to the terms of the Purchase Agreement;

**WHEREAS**, following approval by the Oversight Board of the issuance of the Refunding Bonds by the Successor Agency and upon submission of the Oversight Board Resolution to the California Department of Finance, the Successor Agency will, with the assistance of Richards, Watson & Gershon, A Professional Corporation, as Disclosure Counsel ("Disclosure Counsel"), Urban Futures, Inc., as Municipal Advisor ("Municipal Advisor") and HdL Coren & Cone, as Fiscal Consultant ("Fiscal Consultant"), cause to be prepared a form of Official Statement for the Refunding Bonds describing the Refunding Bonds and containing material information relating to the Successor Agency and the Refunding Bonds, the preliminary form of which will be submitted to the Successor Agency for approval for distribution by the Original Purchaser, as underwriter of the Refunding Bonds, to persons and institutions interested in purchasing the Refunding Bonds;

**WHEREAS**, Section 5852.1 of the California Government Code, which became effective on January 1, 2018, enacted pursuant to Senate Bill 450 (Chapter 625 of the 2017-2018 Session of the California Legislature), requires that the Successor Agency obtain from an underwriter, municipal advisor or private lender and disclose, in a meeting open to the public, prior to authorization of the issuance of the Refunding Bonds, good faith estimates of (a) the true interest cost of the Refunding Bonds, (b) the sum of all fees and charges paid to third parties with respect to the Refunding Bonds, (c) the amount of proceeds of the Refunding Bonds expected to be received net of the fees and charges paid to third parties and any reserves or capitalized interest paid or funded with proceeds of the Refunding Bonds, and (d) the sum total of all debt service payments on the Refunding Bonds calculated to the final maturity of the Refunding Bonds plus the fees and charges paid to third parties not paid with the proceeds of the Refunding Bonds;

**WHEREAS**, in compliance with Section 5852.1 of the California Government Code, the Successor Agency has prepared, based on information provided by the Original Purchaser, the required good faith estimates and such estimates are included in the agenda report submitted by staff to the Successor Agency in connection with the proposed adoption of this Resolution;

**NOW, THEREFORE**, the Successor Agency to the City of Montclair Redevelopment Agency **RESOLVES** as follows:

1. Determination of Savings. The Successor Agency has determined that there are significant potential savings available to the Successor Agency and to applicable taxing entities in compliance with the Savings Parameters by the issuance by the Successor Agency of the Refunding Bonds to provide funds to refund the Prior Bonds, all as evidenced by the Debt Service Savings Analysis on file with the Successor Agency, which Debt Service Savings Analysis is hereby approved.

2. Approval of Issuance of the Refunding Bonds. The Successor Agency hereby authorizes and approves the issuance of the Refunding Bonds under the Law and the Refunding Law in the aggregate principal amount not to exceed amount required to refund and defease the Prior Bonds, to establish customary debt service reserves, and to pay related costs of issuance, provided that the Refunding Bonds are in compliance with the Savings Parameters at the time of sale and delivery. The 2019A Bonds and the 2019B Bonds may be issued as a single series, either on a tax-exempt basis or on a taxable basis.

3. Approval of Indenture. The Successor Agency hereby approves the Indenture prescribing the terms and provisions of the Refunding Bonds and the application of the proceeds of the Refunding Bonds. Each of the Mayor of the City of Montclair (the "City"), as the Chair and presiding officer of the Successor Agency, the City Manager of the City, as the Chief Administrative Officer of the Successor Agency, and the Finance Director of the City, as the Chief Financial Officer of the Successor Agency, on behalf of the Successor Agency (each, an "Authorized Officer"), is hereby authorized and directed to execute and deliver, and the City Clerk of the City, as the Secretary of the Successor Agency, on behalf of the Successor Agency, is hereby authorized and directed to attest to, the Indenture for and in the name and on behalf of the Successor Agency, in substantially the form on file with the Successor Agency, with such changes therein, deletions therefrom and additions thereto as the Authorized Officer executing the same shall approve, such approval to be conclusively evidenced by the execution and delivery of the Indenture. The Successor Agency hereby authorizes the delivery and performance of the Indenture.

4. Approval of Refunding Instructions. The form of the Refunding Instructions in substantially the form on file with the Successor Agency is hereby approved. The Authorized Officers, each acting alone, are hereby authorized and directed, for and in the name and on behalf of the Successor Agency, to execute and deliver the Refunding Instructions, in substantially the form on file with the Successor Agency, with such changes therein, deletions therefrom and additions thereto as the Authorized Officer executing the same shall approve, such approval to be conclusively evidenced by the execution and delivery of the Refunding Instructions. The Successor Agency hereby authorizes the delivery and performance of its obligations under the Refunding Instructions.

5. Oversight Board Approval of the Issuance of the Refunding Bonds. The Successor Agency hereby requests the Oversight Board, as authorized by Section 34177.5(f), to direct the Successor Agency to undertake the refunding proceedings and as authorized by Section 34177.5(f) and Section 34180 to approve the issuance of the Refunding Bonds pursuant to Section 34177.5(a)(1) and this Resolution.

6. Filing of Debt Service Savings Analysis and Resolution. The Successor Agency is hereby authorized and directed to file the Debt Service Savings Analysis, together with a copy of this Resolution, with the Oversight Board, and, as provided in Section 34180(j) with the San Bernardino County Administrative Officer, the San Bernardino County Auditor-Controller and the California Department of Finance.

7. Sale of Refunding Bonds. The Successor Agency hereby approves the Purchase Agreement. The Authorized Officers, each acting alone, are hereby authorized and directed to execute and deliver the Purchase Agreement for and in the name and on behalf of the Successor Agency, in substantially the form on file with the Successor Agency, with such changes therein, deletions therefrom and additions thereto as the Authorized Officer executing the same shall approve, such approval to be conclusively evidenced by the execution and delivery of the Purchase Agreement, provided that the Original Purchaser's discount (excluding original issue discount, if any) shall not exceed 1.0% of the aggregate principal amount of the Refunding Bonds to be issued.

8. Issuance of Refunding Bonds in Whole or in Part. It is the intent of the Successor Agency to sell and deliver the Refunding Bonds in whole, provided that there is compliance with the Savings Parameters. However, the Successor Agency will initially authorize the sale and delivery of the Refunding Bonds in whole or, if such Savings Parameters cannot be met with respect to the whole, then in part; provided that the Refunding Bonds so sold and delivered in part are in compliance with the Savings Parameters. The sale and delivery of the Refunding Bonds in part will in each instance provide sufficient funds only for the refunding of that portion of the Refunding Bonds that meet the Savings Parameters. In the event the Refunding Bonds are initially sold in part, the Successor Agency intends to sell and deliver additional parts of the Refunding Bonds without the prior approval of the Oversight Board provided that in each such instance the Refunding Bonds so sold and delivered in part are in compliance with the Savings Parameters.

9. Professional Services. The selection of the firm of Nixon Peabody LLP, as bond counsel, the firm of Richards, Watson & Gershon, A Professional Corporation, as disclosure counsel, Urban Futures, Inc., as municipal advisor, HdL Coren & Cone, as fiscal consultant, is hereby confirmed. The Authorized Officers, each acting alone, are hereby authorized to execute professional services agreement with each such firm.

Additionally, the selection of U.S. Bank National Association, as trustee for the Refunding Bonds, is hereby also confirmed.

10. Municipal Bond Insurance and Reserve Fund Insurance Policy. The Authorized Officers, each acting alone, are hereby authorized and directed to take all actions necessary to obtain a municipal bond insurance policy for the Refunding Bonds and a debt service reserve fund insurance policy for the Refunding Bonds from a municipal bond insurance company if it is determined, upon consultation with the Municipal Advisor, that such municipal bond insurance policy and/or debt service reserve fund insurance policy will reduce the true interest costs with respect to the Refunding Bonds.

11. Approval of Official Statement. Following approval by the Oversight Board of the issuance of the Refunding Bonds by the Successor Agency and upon submission of the Oversight Board Resolution to the California Department of Finance, the Successor Agency will, with the assistance of Disclosure Counsel and the Fiscal Consultant, cause to be prepared a form of Official Statement for the Refunding Bonds describing the Refunding Bonds and containing material information relating to the Successor Agency and the Refunding Bonds, the preliminary form of which will be submitted to the Successor Agency for approval for distribution by the Original Purchaser to persons and institutions interested in purchasing the Refunding Bonds.

12. Official Actions. The Authorized Officers and any and all other officers of the Successor Agency are hereby authorized and directed, for and in the name and on behalf of the Successor Agency, to do any and all things and take any and all actions, which they, or any of them, may deem necessary or advisable in obtaining the requested approvals by the Oversight Board and the California Department of Finance and in the issuance, sale and delivery of the Refunding Bonds. Whenever in this Resolution any officer of the Successor Agency is directed to execute or countersign any document or take any action, such execution, countersigning or action may be taken on behalf of such officer by any person designated by such officer to act on his or her behalf in the case such officer is absent or unavailable.

13. Effective Date. This Resolution shall take effect from and after the date of approval and adoption thereof.

**APPROVED AND ADOPTED** this XX day of XX, 20XX.

\_\_\_\_\_  
Chair

**ATTEST:**

\_\_\_\_\_  
Secretary

I, Andrea M. Phillips, Secretary of the Successor Agency to the City of Montclair Redevelopment Agency, DO HEREBY CERTIFY that Resolution No. 19-01 was duly adopted by the Successor Agency Board of Directors at a regular meeting thereof held on the XX day of XX, 20XX, 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 REGULAR MEETING OF THE PUBLIC WORKS COMMITTEE HELD ON THURSDAY, JULY 18, 2019, AT 4:00 P.M. IN THE CITY MANAGER CONFERENCE ROOM, 5111 BENITO STREET, MONTCLAIR, CALIFORNIA**

---

**I. CALL TO ORDER**

Chair Raft called the meeting to order at 4:00 p.m.

**II. ROLL CALL**

Present: Mayor Pro Tem Raft (Chair); Council Member Martinez (Committee Member); Senior Management Analyst Fuentes; Public Works Director/City Engineer Castillo; Assistant Director of Housing/Planning Manager Caldwell; Facilities/Grounds Superintendent McGehee; Public Works Superintendent Mendez

Absent: City Manager Starr; Chief of Police/Executive Director Office of Public Safety Avels; City Planner/Planning Manager Diaz

Also Present: Economic Development Consultant Staats; Police Captain Reed

**III. APPROVAL OF MINUTES**

The Public Works Committee approved the minutes of the Public Works Committee meeting of March 21, 2019.

**IV. PUBLIC COMMENT — None**

**V. PUBLIC WORKS DEPARTMENT UPDATES/ITEMS**

**A. OPERATIONS**

**1. MAINTENANCE ACTIVITIES**

An Operations Activities Report for the past month was included with the agenda. There were no questions or issues with the report.

**2. ADDITIONAL ITEMS**

Public Works Superintendent Mendez stated that resident Vincent Combs informed him that he would attend the next Public Works Committee Meeting. Vincent Combs lives on Amherst Avenue and has questions about parking restrictions.

Public Works Superintendent Mendez mentioned that there was an article on the Daily Bulletin website about Montclair's Public Works employees. The article included four pictures that said, "Montclair Public Works Workers Do It All". Terry Pierson from The Press-Enterprise took pictures and followed

around Maintenance Workers Marcos Garcia and Alex Perez as they worked on a few different job assignments within Montclair. Public Works Superintendent Mendez sent the article to the Maintenance Superintendents Association (MSA) organization and intends to send the article to City Council as well.

## **B. FACILITIES AND GROUNDS**

### **1. MAINTENANCE ACTIVITIES**

A Facilities and Grounds Activities Report for the past month was included with the agenda. There were no questions or issues with the report.

### **2. ADDITIONAL ITEMS — None**

## **C. ENGINEERING DIVISION ITEMS**

### **1. SB1 TOWN HALL MEETING**

Public Works Director/City Engineer Castillo stated that he attended a Town Hall meeting at the request of Assembly Member Freddie Rodriguez. At the meeting, different agencies' efforts utilizing SB1 funding were highlighted, including the City's San Jose Street and Moreno Street paving projects from Mills Avenue to Monte Vista Avenue. The combined cost for the two projects was \$750,000. This fiscal year, SB1 Funds will go towards paving Holt Boulevard from Mills Avenue to Ramona Avenue, which will include traffic signal improvements for the left turn.

### **2. ADDITIONAL ITEMS — None**

## **VI. POLICE DEPARTMENT UPDATE/ITEMS — None**

## **VII. COMMUNITY DEVELOPMENT DEPARTMENT PROJECT UPDATES/ITEMS**

### **A. MONTE VISTA WATER DISTRICT (MVWD) NEW CAMPUS BUILDING**

Assistant Director of Housing/Planning Manager Caldwell stated that MVWD's new campus building project was approved by the Planning Commission. There will be as many as four phases, which will include removal of the customer service areas as they demolish buildings and reconstruct.

### **B. MONTCLAIR SENIOR ASSISTED LIVING AND MEMORY CARE PROJECT**

Assistant Director of Housing/Planning Manager Caldwell stated that the Montclair Senior Assisted Living and Memory Care Project at 9625 Monte Vista Avenue was approved by the Planning Commission. It will be a 90-unit facility constructed in two phases. The first phase will include demolition of the building facing Monte Vista Avenue. A Conditional Use Permit was granted and a Precise Plan of Design was approved. This project is currently in the plan check phase, and the center plans to open in fifteen months.



## **VIII. CAPITAL PROJECT UPDATES**

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

### **A. LOCAL PROJECTS**

#### **1. CENTRAL AVENUE UTILITY UNDERGROUND PROJECT**

Public Works Director/City Engineer Castillo stated that they are still waiting for the last utility to go underground so that they can complete the project.

#### **2. CITY HALL REMODEL PHASE 1 PROJECT (COUNCIL CHAMBERS IMPROVEMENTS)**

The City Hall Remodel Phase 1 Project is scheduled to begin on August 6, 2019, and will continue through September 30, 2019. The last Council meeting in the Council Chambers at City Hall will be Monday, August 5, 2019, after which the council meetings will be relocating to the Senior Center for the duration of construction.

#### **3. CENTRAL AVENUE STREET REHABILITATION PROJECT PHASE 1**

This project will span from the southerly City limits to the I-10 Freeway. Sully Miller will be the contractor for this project. Asphalt improvements on Central Avenue will cost \$7 million. They are hoping to get started soon, but are being sensitive to Costco and holiday shopping at the mall. The heavy work on Central is planned to start in October, but lighter work may start before that. There are many components and sub consultants with this project. Besides paving, they will also be installing a recycled water line, traffic signal improvements, more flashing yellow traffic signals on Central Avenue, and a fiber optic line that will help the communication between the signals and the coordination. A component of the contract is public relations, so they will be sending out flyers and providing updates on the project website. There is a project number, (888) 923-6875, for any questions or concerns.

Facilities/Grounds Superintendent McGehee and Public Works Superintendent Mendez have decided to cancel Mariposa's contract during this project. Mariposa will not be doing maintenance in the median island between the I-10 Freeway and Phillips Boulevard. Public Works maintenance workers will be doing the cleanup of the median island until the project starts.

#### **4. REEDER RANCH ROOF REPLACEMENT AND ELECTRICAL**

Work for this project will begin the week of July 22, 2019.

#### **5. SAN JOSE AND MORENO STREET REHABILITATION PROJECTS**

San Jose Street will begin paving on July 19, 2019. Paving on Moreno Street is almost complete. The goal is to have these two projects completed before

school starts on August 7, 2019. The San Jose and Moreno Street Rehabilitation Projects cost a total of \$750,000 for paving improvements.

Public Works Superintendent Mendez advised that, due to the heavy equipment that is used on the roads during construction, there were a couple major water leaks and breaks with the water main lines. Project Manager Steve Stanton mediated between the contractor, MVWD, and the City, which allowed the project to continue.

## **B. REGIONAL PROJECTS**

### **1. MONTE VISTA AVENUE/UPRR GRADE SEPERATION PROJECT**

The Monte Vista Grade Separation continues to move forward. The project now has all the major structural components, including the deck, completed. The bridge still needs barriers, electrical work, and some finishing touches. Completion of the project is expected in early September and the ribbon cutting ceremony event, coordinated by San Bernardino County Transportation Authority (SBCTA), is planned for mid-September.

### **2. I-10 CORRIDOR PROJECT**

Staff is continuing to coordinate with the design team for reconfiguration of the on/off ramps, and should be getting some of the preliminary final designs in October. They are working on the landscaping and improvements for Monte Vista and Central Avenues. Construction should start in spring of 2020. Currently, potholing investigations are being conducted at the site and there are closure notifications for minor work.

### **3. CHINO BASIN PROGRAM (IEUA)**

Staff continues to team up with the Inland Empire Utilities Agency (IEUA) on the Chino Basin Program. A letter has been sent to IEUA informing them of the City's concerns related to the \$204 million grant only accounting for 50 percent of the cost of the improvements that IEUA has planned. Public Works Director/City Engineer Castillo emphasized he wants to make sure this program is worth it before signing the agreement with IEUA.

### **4. FOOTHILL GOLD LINE EXTENSION**

Public Works Director/City Engineer Castillo stated that the Construction Authority received bids for the Foothill Gold Line Extension. They are verifying bid amounts to determine the terminus of the project. There should be more information in the next month or so.

Senior Management Analyst Fuentes stated that the Foothill Gold Line JPA Board met on July 10th to finalize approval of a supplemental environmental impact report that went out in December. The board approved the recommendation, which means they would have a temporary terminus in Pomona. After building it to Pomona they would build it to Claremont or

Claremont and Montclair, depending on funding. Bids were received at the beginning of July, but they have not yet been released because they are still being studied by Construction Authority staff. Bids should be released in August and then will be provided to the Technical Advisory Committee, and meetings will then be coordinated with affected cities. Pomona is supposed to be the interim terminus spot for two years and after that there is a two year period where they can decide to build it to Claremont, or Claremont and Montclair.

## 5. MONTCLAIR TRANSCENTER

Public Works Director/City Engineer Castillo stated that there was damage to a bus shelter at the Montclair Transcenter caused by one of the buses from Foothill Transit. The City is making the repairs at the Transcenter, but will be billing Foothill Transit's insurance company. After repairs are complete, the kiosk area should be open on July 26. A minor amount of work will continue after that date, but essentially the Transcenter will be back in business.

## IX. COMMITTEE, CITY MANAGER, AND DEPUTY CITY MANAGER ITEMS — None

## X. ADJOURNMENT

At 4:24 p.m., Chair Raft adjourned the meeting of the Public Works Committee. The next meeting of the Public Works Committee is scheduled to be held at 4:00 p.m. on September 19, 2019 in the City Manager's Conference Room.

Submitted for Public Works Committee approval,

  
\_\_\_\_\_  
Samantha Contreras  
Transcribing Secretary

**MINUTES OF THE CITY OF MONTCLAIR REAL ESTATE  
COMMITTEE MEETING HELD ON MONDAY, JULY 22, 2019  
AT 6:00 P.M. IN THE CITY HALL CONFERENCE ROOM,  
5111 BENITO STREET, MONTCLAIR, CALIFORNIA**

---

**I. CALL TO ORDER**

Vice Chair Raft called the meeting to order at 6:00 p.m.

**II. ROLL CALL**

Present: Mayor Pro Tem Raft (Vice Chair); Council Member Johnson (Alternate Committee Member); City Manager Starr; Assistant Director of Housing/Planning Manager Caldwell; City Planner/Planning Manager Diaz; City Attorney Robbins; Senior Management Analyst Fuentes; Economic Development Consultant Staats; City Clerk Phillips

Absent: Council Member Dutrey (Chair) (excused)

**III. APPROVAL OF MINUTES**

**A. REAL ESTATE COMMITTEE — April 15, 2019**

The Committee approved the April 15, 2019 minutes of the Real Estate Committee meeting.

**IV. PUBLIC COMMENT — None**

**V. DISCUSSION ITEMS**

**A. DEVELOPMENT PROPOSALS**

**1. PROJECTS OFFICIALLY SUBMITTED FOR FORMAL CITY REVIEW:**

• **Village at Montclair**

The Committee reviewed the site plans and renderings for a proposed multi-building mixed-use project featuring 360 apartment units with amenities and 25,000 square feet of commercial lease area on a 5.58-gross acre property, generally located on the north side of Arrow Highway and the north terminus of Fremont Avenue within the boundaries of the North Montclair Downtown Specific Plan (NMDSP).

Staff discussed elements and amenities for the proposed project including a total of four buildings, a 0.19-acre public park (plaza), direct connection to the Montclair Transcenter, and a resident parking structure. It was noted that this project has a planned number of parking spaces equivalent to 1.59 spaces per residential unit pursuant to the Parking Management Plan, which is currently under development. Staff advised as few as one parking space per

residential unit were permitted for residential projects within the NMDSP prior to its amendment. A draft Parking Management Plan for the Village project was distributed to Committee members.

Alt. Committee Member Johnson raised concern over the seeming inadequacy of parking for residents, noting most couples living together each have their own car as well as their older children.

Staff noted those seeking to live in a TOD would generally plan to utilize other forms of transportation including ride sharing and public transportation, and such living arrangements would not be desirable for households with several cars. It was also noted that the property manager of this project would be responsible to ensure that parking is properly managed.

Vice Chair Raft and Alt. Committee Member Johnson complimented the aesthetic appeal of the project.

- **Bravo Project**

The Committee reviewed the site plans and renderings for a proposed 90-unit apartment development on a 2.95-gross acre portion of a larger parcel, generally located on the southeast corner of Arrow Highway and Fremont Avenue within the boundaries of the NMDSP.

Staff discussed elements and amenities for the proposed project including a total of three buildings, parking arrangements, and a passive 0.17-acre park. It was noted that the northern portion of the parcel is planned to be developed at a future time.

A draft Parking Management Plan for the Bravo project was distributed to Committee members. Staff noted there are several tandem parking stalls available for residents, which would only count as one parking space because residents within the same unit would be able to park two cars in the tandem space.

**VI. OTHER ITEMS — None**

**VII. ADJOURNMENT**

At 6:31 p.m., Vice Chair Raft adjourned the Real Estate Committee. The Committee is scheduled to next meet on Monday, August 19, 2019.

Submitted for Real Estate Committee approval,

  
\_\_\_\_\_  
Andrea Phillips, City Clerk

MINUTES OF THE MEETING OF THE MONTCLAIR  
PERSONNEL COMMITTEE HELD ON MONDAY,  
AUGUST 19, 2019, AT 8:10 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 8:10 p.m.

**II. ROLL CALL**

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

**III. APPROVAL OF MINUTES**

**A. Minutes of the Regular Personnel Committee Meeting of August  
5, 2019.**

Moved by Council Member Ruh, seconded by Mayor Pro Tem Raft,  
and carried unanimously to approve the minutes of the Personnel  
Committee meeting of August 5, 2019.

**IV. PUBLIC COMMENT - None**

**V. CLOSED SESSION**


At 8:11 p.m., the Personnel Committee went into Closed Session  
regarding personnel matters related to appointments, resignations/  
terminations, and evaluations of employee performance.

At 8:28 p.m., the Personnel Committee returned from Closed Session.  
Mayor Pro Tem Raft stated that no announcements would be made at this  
time.

**VI. ADJOURNMENT**

At 8:28 p.m., Mayor Pro Tem Raft adjourned the Personnel Committee.

Submitted for Personnel Committee approval,

  
\_\_\_\_\_  
Edward C. Starr  
City Manager