

NOTICE

THIS MEETING WILL BE CONDUCTED VIA WEBINAR/TELECONFERENCE. THE COUNCIL CHAMBERS WILL NOT BE OPEN TO THE PUBLIC.

Pursuant to Executive Orders issued by Governor Newsom to ensure the health and safety of the public by limiting human contact that could spread the COVID-19 virus, this meeting will be conducted remotely via the ZOOM virtual meeting platform. In compliance with the Executive Orders, there will be no in-person meeting location, however the public may participate using any of the remote methods described below.

LISTEN TO THE MEETING LIVE VIA ZOOM

Members of the public may participate in this meeting by joining the ZOOM conference via PC, Mac, iPad, iPhone, or Android device using the URL:

<https://zoom.us/j/95239872725>

LISTEN TO THE MEETING LIVE VIA TELEPHONE

The public may participate via phone only (without a computer/smart device) by dialing the below numbers:

Dial Number: 1-669-900-6833

Meeting ID: 952 3987 2725

**ALL PARTICIPANTS WILL BE MUTED AUTOMATICALLY UPON ENTERING THE MEETING.
THE CITY CLERK WILL UNMUTE THOSE WHO WISH TO SPEAK AT THE APPROPRIATE TIME.
PLEASE KEEP YOURSELF ON MUTE WHEN NOT SPEAKING.**

VERBAL PARTICIPATION USING ZOOM

Please use the "Raise Hand" button to request to speak. Raised hands will only be acknowledged during the Public Hearing and Public Comment sections of the agenda and when the Meeting's presiding officer requests comments from the public.

If you want to provide public comments and are using a computer or laptop without a microphone connected or built in, you will also need to call in using the Teleconference Number and Meeting ID highlighted below, and dial your Participant ID on the phone when prompted. Your Participant ID is found in the "Phone Call" tab of the "Join Audio" settings. This option will also switch your audio over to the phone. Please do not use speaker mode and turn off your computer audio when speaking to prevent audio feedback.

VERBAL PARTICIPATION OVER THE PHONE

Please dial *6 to mute and unmute yourself, and *9 to "raise your hand" to request to speak. Raised hands will only be acknowledged during the Public Hearing and Public Comment sections of the agenda and when the Meeting's presiding officer requests comments from the public. Do not use speaker mode when speaking.

ADA COMPLIANCE INFORMATION

Meetings are accessible to people with disabilities. Requests in advance of the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting and the materials related to it. Individuals who need special assistance or a disability-related modification or accommodation to participate in this meeting, or who have a disability and wish to request an alternative format for the meeting materials, should contact the City Clerk at cityclerk@cityofmontclair.org or call (909) 625-9416. Every attempt will be made to swiftly address each request. (28 CFR 35.102-35.104 ADA Title II)

PUBLIC COMMENT PROCEDURES

MAKING VERBAL COMMENTS

To provide verbal comments during the meeting, please visit www.cityofmontclair.org/cc-comment to fill out a Virtual Speaker Card to request to speak in advance. You may also call the City Clerk in advance at (909) 625-9416 to fill out the Virtual Speaker Card over the phone or e-mail your name, phone number if calling in during the meeting, and subject of comment or agenda item to cityclerk@cityofmontclair.org with "[Meeting Date] Virtual Speaker Card" as the subject line.

Meeting attendees who did not fill out the Virtual Speaker Card in advance will be given an opportunity to speak after those who requested to speak in advance.

SUBMITTING WRITTEN COMMENTS

Written comments (250 word limit) may be submitted prior to the meeting by filling out the Virtual Speaker Card (www.cityofmontclair.org/cc-comment), via e-mail (cityclerk@cityofmontclair.org), or via U.S. Mail (Mailing Address: City of Montclair, Attn: City Clerk, Re: [Meeting Date] Public Comment, 5111 Benito Street, Montclair, CA 91763), and will be read aloud during the meeting by the City Clerk at the appropriate time.

Please submit all requests to speak or written comments at least one hour prior to the start of the meeting. The City cannot be held responsible for U.S. Mail that does not arrive on time prior to the subject meeting.



**ADJOURNED REGULAR JOINT MEETING OF THE
CITY COUNCIL AND MONTCLAIR HOUSING CORPORATION**

AGENDA

Monday, June 29, 2020
6:00 p.m.

*As a courtesy, please place yourself on mute while the meeting is in session, unless speaking (Dial *6 on the phone to toggle mute), and turn off/mute/disable all video/web cameras.*

*Persons wishing to make a public comment or speak on an agenda item, including public hearing and closed session items, are requested to complete a Virtual Speaker Card (VSC) at www.cityofmontclair.org/cc-comment. The Mayor/Chair (or the meeting's Presiding Officer) will recognize those who have submitted a VSC at the time of the item's consideration and invite those individuals to provide comments on the item at that time. Those who did not fill out a VSC will have an opportunity to speak after those who did by using the "raise hand" function on the ZOOM meeting platform or over the phone by dialing *9.*

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

I. CALL TO ORDER

II. ROLL CALL

III. 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/Board of Directors. (Government Code Section 54954.3).

If you did not submit a Virtual Speaker Card and would like to speak on an item that is on the agenda, please request to speak during Public Comment to announce the agenda item on which you would like to comment so you may be called on to provide your comments at the time of that item's consideration.

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.

IV. CONSENT CALENDAR

A. Resolutions

1. Consider Adoption of Resolution No. 20-3273 Authorizing Approval of the Change in Population in San Bernardino County During 2019 for the Purpose of Calculating the Gann Spending Limit for Fiscal Year 2020-21 [CC] 4
2. Consider Adoption of Resolution No. 20-3274 Establishing an Appropriations Limit For Fiscal Year 2020-21 Pursuant to Article 13-B of the California Constitution And To Section 7910 of the Government Code [CC] 6
3. Consider Adoption of Resolution No. 20-3275 Adopting the City of Montclair Fiscal Year 2020-21 Annual Budget [CC] 8
4. Consider Adoption of Resolution No. 20-3276 Adopting the 2020 Local Guidelines for Implementing the California Environmental Quality Act (CEQA) Pursuant to Public Resources Code Section 21000 *et seq.* [CC] 10

5. Consider Adoption of Resolution No. 20-3278 Authorizing Application for, and Receipt of, Local Government Planning Support Grant Program Funds from the State of California, Department of Housing and Community Development (HCD) for Grant Funding Through the Local Early Action Planning Grant Program (LEAP) [CC] 12
6. Consider Adoption of Resolution No. 20-01 Adopting the Fiscal Year 2020-21 Budget for the Montclair Housing Corporation [MHC] 17

V. PULLED CONSENT CALENDAR ITEMS

VI. ADJOURNMENT

The next regular joint meeting of the City Council, Successor Agency Board, Montclair Housing Corporation Board, Montclair Housing Authority Commission, and Montclair Community Foundation Board will be held on Monday, July 6, 2020, at 7:00 p.m.

Reports, backup materials, and additional materials related to any item on this Agenda distributed to the meeting bodies after publication of the Agenda packet are available for public inspection in the Office of the City Clerk between 7:00 a.m. and 6:00 p.m., Monday through Thursday. Pursuant to the Governor's Executive Orders in relation to the COVID-19 pandemic, please call the City Clerk's Office at (909) 625-9416 or send an e-mail to cityclerk@cityofmontclair.org to request such review of items via e-mail.

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 or e-mail cityclerk@cityofmontclair.org. Notification prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting. (28 CFR 35.102-35.104 ADA Title II)

I, Andrea M. 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 City's website at <http://www.cityofmontclair.org/agendas> and on the bulletin board adjacent to the north door of Montclair City Hall at 5111 Benito Street, Montclair, CA 91763 on Thursday, June 25, 2020.



CITY COUNCIL AGENDA REPORT

DATE:	JUNE 29, 2020	FILE I.D.:	FIN225
SECTION:	CONSENT - RESOLUTIONS	DEPT.:	FINANCE
ITEM NO.:	1	PREPARER:	J. KULBECK
SUBJECT:	CONSIDER ADOPTION OF RESOLUTION NO. 20-3273 AUTHORIZING APPROVAL OF THE CHANGE IN POPULATION IN SAN BERNARDINO COUNTY DURING 2019 FOR THE PURPOSE OF CALCULATING THE GANN SPENDING LIMIT FOR FISCAL YEAR 2020-21		

REASON FOR CONSIDERATION: The City Council is requested to consider adoption of Resolution No. 20-3273 pursuant to Government Code Section 7901, requiring each city to annually adopt a resolution selecting the change in population factor for purposes of calculating the Gann Spending Limit.

A copy of proposed Resolution No. 20-3273 is attached for the City Council's review and consideration.

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

The change in population in San Bernardino County during 2019 as reported by the State Department of Finance was 0.51 percent. Because it is in the City's best interest to establish the highest possible Gann Spending Limit, and the County change is usually larger than the change in the City, staff suggests the City Council choose the percentage change in population in San Bernardino County during 2019 as the change-in-population factor to be used in calculating the limit.

FISCAL IMPACT: There would be no fiscal impact to the City's General Fund should the City Council adopt proposed Resolution No. 20-3273 authorizing approval of the change in population in San Bernardino County during 2019 for the purpose of calculating the Gann Spending Limit for Fiscal Year 2020-21.

RECOMMENDATION: Staff recommends the City Council adopt Resolution No. 20-3273 authorizing approval of the change in population in San Bernardino County during 2019 for the purpose of calculating the Gann Spending Limit for Fiscal Year 2020-21.

RESOLUTION NO. 20-3273

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MONTCLAIR AUTHORIZING APPROVAL OF THE CHANGE IN POPULATION IN SAN BERNARDINO COUNTY DURING 2019 FOR THE PURPOSE OF CALCULATING THE GANN SPENDING LIMIT FOR FISCAL YEAR 2020-21

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

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

WHEREAS, the change in population in the San Bernardino County during 2019 was 0.51 percent and that change has historically been higher than the change within the City of Montclair.

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

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Montclair hereby approves the change in population in San Bernardino County during 2019 as its change-in-population factor to be used in calculating the Gann Spending Limit for Fiscal Year 2020-21.

APPROVED AND ADOPTED this XX day of XX, 2020.

Mayor

ATTEST:

City Clerk

I, Andrea M. Phillips, City Clerk of the City of Montclair, DO HEREBY CERTIFY that Resolution No. 20-3273 was duly adopted by the City Council of said city and was approved by the Mayor of said city at a regular meeting of said City Council held on the XX day of XX, 2020, and that it was adopted by the following vote, to-wit:

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

Andrea M. Phillips
City Clerk



CITY COUNCIL AGENDA REPORT

DATE:	JUNE 29, 2020	FILE I.D.:	FIN225/TAX150
SECTION:	CONSENT - RESOLUTIONS	DEPT.:	FINANCE
ITEM NO.:	2	PREPARER:	J. KULBECK
SUBJECT:	CONSIDER ADOPTION OF RESOLUTION NO. 20-3274 ESTABLISHING AN APPROPRIATIONS LIMIT FOR FISCAL YEAR 2020-21 PURSUANT TO ARTICLE 13-B OF THE CALIFORNIA CONSTITUTION AND TO SECTION 7910 OF THE GOVERNMENT CODE		

REASON FOR CONSIDERATION: The City Council is requested to consider adoption of Resolution No. 20-3274 establishing an appropriations limit for Fiscal Year 2020-21 pursuant to Article 13-B of the California Constitution and to Section 7910 of the Government Code.

A copy of proposed Resolution No. 20-3274 is attached for the City Council's review and consideration.

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

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

The City Council will also, prior to consideration of this item, consider adoption of Resolution No. 20-3273 approving the change in population in San Bernardino County during 2019 as the change-in-population factor to be used in calculating the Fiscal Year 2020-21 appropriations limit. The change in population in San Bernardino County during 2019 was 0.51 percent. The change in California per capita personal income during 2019 was 3.73 percent. Based on these adjustment factors, and subject to the City Council's approval of Resolution No. 20-3273, the City's appropriations limit for Fiscal Year 2020-21 would be \$440,717,509 as established by proposed Resolution No. 20-3274.

FISCAL IMPACT: The City would be authorized to spend all tax revenues received up to \$440,717,509 should the City Council adopt proposed Resolution No. 20-3274.

RECOMMENDATION: Staff recommends the City Council adopt Resolution No. 20-3274 establishing an appropriations limit for Fiscal Year 2020-21 pursuant to Article 13-B of the California Constitution and to Section 7910 of the Government Code.

RESOLUTION NO. 20-3274

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MONTCLAIR ESTABLISHING AN APPROPRIATIONS LIMIT FOR FISCAL YEAR 2020-21 PURSUANT TO ARTICLE 13-B OF THE CALIFORNIA CONSTITUTION AND TO SECTION 7910 OF THE GOVERNMENT CODE

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

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

WHEREAS, at a meeting held on June 29, 2020, the City Council selected the change in cost of living and change in population factors to be used in determining the appropriations limit for Fiscal Year 2020-21; and

WHEREAS, the City of Montclair has determined that said appropriations limit for Fiscal Year 2020-21 is \$440,717,509, and documentation supporting calculation of the limit is available to the public as required by Government Code Section 7910.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Montclair hereby establishes an appropriations limit in the amount of \$440,717,509 for Fiscal Year 2020-21 pursuant to Article 13-B of the Constitution of the State of California and Government Code Section 7910.

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

APPROVED AND ADOPTED this XX day of XX, 2020.

Mayor

ATTEST:

City Clerk

I, Andrea M. Phillips, City Clerk of the City of Montclair, DO HEREBY CERTIFY that Resolution No. 20-3274 was duly adopted by the City Council of said city and was approved by the Mayor of said city at a regular meeting of said City Council held on the XX day of XX, 2020, and that it was adopted by the following vote, to-wit:

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

Andrea M. Phillips
City Clerk



CITY COUNCIL AGENDA REPORT

DATE:	JUNE 29, 2020	FILE I.D.:	FIN240
SECTION:	CONSENT - RESOLUTIONS	DEPT.:	FINANCE
ITEM NO.:	3	PREPARER:	J. KULBECK
SUBJECT:	CONSIDER ADOPTION OF RESOLUTION NO. 20-3275 ADOPTING THE CITY OF MONTCLAIR FISCAL YEAR 2020-21 ANNUAL BUDGET		

REASON FOR CONSIDERATION: The governing body of a local government agency annually adopt an Operating Budget. The City Council is requested to consider adoption of Resolution No. 20-3275, formally adopting the City of Montclair Fiscal Year 2020-21 Annual Budget.

A copy of proposed Resolution No. 20-3275 is attached for City Council review and consideration.

BACKGROUND: The City Council reviewed the Fiscal Year 2020-21 Preliminary Budget on June 23, 2020, at an adjourned regular meeting.

In addition to providing a formal means to adopt the Annual Budget, proposed Resolution No. 20-3275 includes the following fiscal-control provisions:

- The automatic reappropriation of funds into the Fiscal Year 2020-21 Budget to finance outstanding encumbrances as of June 30, 2020.
- The automatic reappropriation of funds into the Fiscal Year 2020-21 Budget to finance capital improvement projects and grants that were not completed during Fiscal Year 2019-20.

The City Council's adoption of Resolution No. 20-3275 would provide for a total Estimated Revenue Budget, including transfers-in, of \$44,320,820, and a total Appropriations Budget, including transfers-out, of \$43,478,452. The General Fund has estimated revenues/transfers-in of \$28,730,780, and appropriation budget/transfers-out of \$28,730,780, leaving an excess of \$0.

FISCAL IMPACT: It is estimated the Fiscal Year 2020-21 Budget would provide for an overall increase in total unreserved fund balances/retained earnings of \$842,368 when considering all funds and operations of the City.

RECOMMENDATION: Staff recommends the City Council adopt Resolution No. 20-3275 adopting the City of Montclair Fiscal Year 2020-21 Annual Budget.

RESOLUTION NO. 20-3275

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MONTCLAIR ADOPTING THE FISCAL YEAR 2020-21 BUDGET

WHEREAS, the City Manager submitted to the City Council of the City of Montclair the proposed budget for Fiscal Year 2020-21 including all proposed expenditures, estimated revenues, and estimated fund balances; and

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

WHEREAS, the City Council duly reviewed the proposed budget at a meeting open to the public on June 23, 2020.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Montclair hereby adopts the proposed budget as the Annual Budget for Fiscal Year 2020-21.

BE IT FURTHER RESOLVED that funds are automatically reappropriated into Fiscal Year 2020-21 for all outstanding purchase orders and unexecuted contracts as of June 30, 2020, for which a valid appropriation exists.

BE IT FURTHER RESOLVED that funds are automatically reappropriated into Fiscal Year 2020-21 for all capital improvement projects included in the adopted budget that have not been completed as of June 30, 2020.

BE IT FURTHER RESOLVED that funds are automatically reappropriated into Fiscal Year 2020-21 for all grants included in the adopted budget that have not been completed as of June 30, 2020.

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

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

APPROVED AND ADOPTED this XX day of XX, 2020.

ATTEST:

Mayor

City Clerk

I, Andrea M. Phillips, City Clerk of the City of Montclair, DO HEREBY CERTIFY that Resolution No. 20-3275 was duly adopted by the City Council of said city and was approved by the Mayor of said city at a regular meeting of said City Council held on the XX day of XX, 2020, and that it was adopted by the following vote, to-wit:

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

Andrea M. Phillips
City Clerk



CITY COUNCIL AGENDA REPORT

DATE:	JUNE 29, 2020	FILE I.D.:	ENV075
SECTION:	CONSENT - RESOLUTIONS	DEPT.:	COMMUNITY DEV.
ITEM NO.:	4	PREPARER:	M. DIAZ
SUBJECT:	CONSIDER ADOPTION OF RESOLUTION NO. 20-3276 ADOPTING THE 2020 LOCAL GUIDELINES FOR IMPLEMENTING THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) PURSUANT TO PUBLIC RESOURCES CODE SECTION 21000 ET SEQ.		

REASON FOR CONSIDERATION: The City Council is requested to consider adoption of Resolution No. 20-3276 adopting the 2020 local California Environmental Quality Act (CEQA) guidelines (Local Guidelines). To remain current with State CEQA Guidelines, the City must revise its local guidelines for implementing CEQA to make them consistent with changes that occurred during 2019 from both case law and legislation. The 2020 Update reflects these recent changes.

A copy of proposed Resolution No. 20-3276 is attached for the City Council's review and consideration. A copy of the proposed 2020 local CEQA guidelines, a 179-page document, is included in the Council's agenda packet or may be downloaded and viewed online at <https://cityofmontclair.org/Home/ShowDocument?id=16158>.

BACKGROUND: The California Environmental Quality Act (CEQA), codified at Public Resources Code section 21000 *et seq.*, is California's most comprehensive environmental law. CEQA also aims to prevent significant environmental effects from occurring as a result of agency actions by requiring agencies to avoid or reduce, when feasible, the significant environmental impacts of their decisions. To this end, CEQA requires public agencies to adopt specific objectives, criteria, and procedures for evaluating public and private projects that are undertaken or approved by such agencies. The City Council is the responsible body for adopting Local CEQA Guidelines pursuant to Public Resources Code Section 21082.

In May of 2019, the City adopted local CEQA Guidelines to meet CEQA's requirements and provide step-by-step procedures for the evaluation of projects prior to approval. The proposed set of Local Guidelines for 2020 complies with current CEQA's requirements, and will continue to provide instructions and forms for preparing environmental documents required under CEQA. As before, the primary users of the Local Guidelines will be City staff in the Community Development and Public Works Departments involved in the environmental review process for proposed projects.

The adoption of the Resolution updating Local CEQA Guidelines is not considered a project under State CEQA Guidelines Section 15378(b)(5) because it involves an administrative activity involving process only and would not result in any environmental impacts.

FISCAL IMPACT: There would be no fiscal impact related to adoption of Resolution No. 20-3276 to amend the Local CEQA Guidelines.

RECOMMENDATION: Staff recommends the City Council adopt Resolution No. 20-3276 adopting the 2020 Local Guidelines for implementing CEQA pursuant to Public Resources Code Section 21000 *et sec.*

RESOLUTION NO. 20-3276

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MONTCLAIR ADOPTING THE 2020 LOCAL GUIDELINES FOR IMPLEMENTING THE CALIFORNIA ENVIRONMENTAL QUALITY ACT PURSUANT TO PUBLIC RESOURCES CODE SECTION 21000 ET SEQ.

WHEREAS, the California Legislature has amended the California Environmental Quality Act ("CEQA") (Pub. Resources Code §§ 21000 et seq.), the Natural Resources Agency has amended the State CEQA Guidelines (Cal. Code Regs, tit. 14, §§ 15000 et seq.), and the California courts have interpreted specific provisions of CEQA; and

WHEREAS, Public Resources Code, section 21082 requires all public agencies to adopt objectives, criteria and procedures for (1) the evaluation of public and private projects undertaken or approved by such public agencies, and (2) the preparation, if required, of environmental impact reports and negative declarations in connection with that evaluation; and

WHEREAS, the City of Montclair must revise its local guidelines for implementing CEQA to make them consistent with the current provisions and interpretations of CEQA and the State CEQA Guidelines.

NOW, THEREFORE, the City Council of the City of Montclair ("City") hereby resolves as follows:

1. The City adopts the "2020 Local Guidelines for Implementing the California Environmental Quality Act," a copy of which is on file at the offices of the City and is available for inspection by the public.
2. All prior actions of the City enacting earlier guidelines are hereby repealed.

APPROVED AND ADOPTED this XX day of XX, 2020.

Mayor

City Attorney

ATTEST:

City Clerk

I, Andrea M. Phillips, City Clerk of the City of Montclair, DO HEREBY CERTIFY that Resolution No. 20-3276 was duly adopted by the City Council of said city and was approved by the Mayor of said city at a regular meeting of said City Council held on the XX day of XX, 2020, and that it was adopted by the following vote, to-wit:

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



CITY COUNCIL AGENDA REPORT

DATE:	JUNE 29, 2020	FILE I.D.:	CDV027
SECTION:	CONSENT - RESOLUTIONS	DEPT.:	COMMUNITY DEV.
ITEM NO.:	5	PREPARER:	M. FUENTES
SUBJECT:	CONSIDER ADOPTION OF RESOLUTION NO. 20-3278 AUTHORIZING APPLICATION FOR, AND RECEIPT OF, LOCAL GOVERNMENT PLANNING SUPPORT GRANT PROGRAM FUNDS FROM THE STATE OF CALIFORNIA, DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT (HCD) FOR GRANT FUNDING THROUGH THE LOCAL EARLY ACTION PLANNING GRANT PROGRAM		

REASON FOR CONSIDERATION: The State Department of Housing and Community Development's (HCD) Local Government Planning Support Grants Program provides funding to local jurisdictions preparing and adopting planning documents, as well as process improvements, which accelerate housing production and facilitate compliance to implement the sixth cycle of the regional housing need assessment. The City of Montclair is eligible to apply for funding through this program and as part of the application process the City must adopt a resolution authorizing application for, and receipt of, Local Government Planning Support Grants Program funds.

A copy of proposed Resolution No. 20-3278, in support of submitting a Grant Agreement with the State of California, Department of Housing and Community Development (HCD) for grant funding through the Local Early Action Planning Grant Program (LEAP) is attached for the City Council's review and consideration.

BACKGROUND: On July 31, 2019, Governor Gavin Newsom approved Assembly Bill (AB) 101 "Housing Development and Financing", a budget trailer bill to the FY 2019-20 State Budget. The adoption of AB 101 made available \$250 million to regions, cities and counties—under the Local Government Planning support Grants Program administered by HCD.

The goals of the Local Government Planning Support Grants Program are twofold: (1) accelerate housing production; and (2) facilitate compliance to implement the sixth cycle of the Regional Housing Needs Assessment (RHNA).

To achieve these goals, the Local Government Planning Support Grants Program provides one-time grant reimbursement funding to jurisdictions for technical assistance; preparation and adoption of planning documents; and implementation of process improvements.

Of the \$250 million made available to the Local Government Planning Support Grants Program, \$125 million has been allocated to councils of governments and other regional entities under the Regional Early Action Planning (REAP) Grants Program and the remaining \$125 million has been allocated to cities and counties under the Local Early Action Planning (LEAP) Grants Program. Of the \$125 million allocated, only \$119,040,000 is being provided as grant funds and the remainder will be used to cover costs associated with administering the grant program.

LEAP Grants Program proposals may encompass a wide range of plans, programs and activities, but must demonstrate a nexus to accelerating housing production and must align with the state's planning priorities. Examples of eligible activities include the following:

- Rezoning and encouraging development by updating planning documents and zoning ordinances, such as General Plans, community plans, specific plans, implementation of sustainable communities' strategies, and local coastal programs;
- Completing environmental clearance to eliminate the need for project-specific review;
- Planning documents to promote development of publicly-owned land, such as partnering with other local entities to identify and prepare excess or surplus property for residential development;
- Developing or improving an Accessory Dwelling Unit (ADU) Ordinance in compliance with Government Code Section 65852.2;
- Planning documents for a smaller geography (less than jurisdiction-wide) with a significant impact on housing production, including an overlay district, project level specific plan, or development standards modifications proposed for significant areas of a locality, such as corridors, downtown or priority growth areas;
- Rezoning to meet requirements pursuant to Government Code Section 65583(c)(1), and other rezoning efforts to comply with Housing Element requirements; and
- Preparing and adopting Housing Elements of the General Plan that include an implementation component to facilitate compliance with the sixth cycle RHNA.

Small localities, such as the City of Montclair, with a population between 20,000 and 59,000 are eligible to apply for a maximum grant award amount of \$150,000. Applications are being accepted by HCD on a rolling basis until July 1, 2020. The City of Montclair will be applying for the maximum grant award amount of \$150,000.

Staff is recommending that the available grant funds be utilized towards the following:

1. Housing Element Sites Assessment - \$35,000 - Complete additional sites analysis required by the Housing Element Guidelines and to cover any additional rounds of review with HCD required to achieve Housing Element certification.
2. Inclusionary Housing Ordinance - \$60,000 - Complete a nexus study and create an inclusionary housing ordinance that will provide local funding for affordable housing that will make projects more competitive for state and federal funding.
3. Accessory Dwelling Unit Ordinance (ADU) - \$55,000 - Develop a pre-approved ADU plan - providing custom site plans (with pre-approved ADU plans) by an on-call designer.

Cities must submit a City Council resolution as part of the grant application process. Resolution No. 20-3278 authorizes staff to submit an application to HCD; enter into, execute, and deliver on behalf of the Applicant, a State of California Agreement (Standard Agreement) for the amount of \$150,000, and any and all other documents required or deemed necessary or appropriate to evidence and secure the LEAP Grant; and agree to abide by the terms of the grant.

FISCAL IMPACT: Grant fund payment will be made on a reimbursement basis as advance payments are not permitted by the LEAP. The City would need to make the initial investment in paying for all grant-related expenses, not to exceed \$150,000 maximum, prior to requesting reimbursement to HCD. Project invoices will be submitted to the HCD by the City on a quarterly basis, and work on the projects must be completed prior to requesting reimbursement.

RECOMMENDATION: Staff recommends the City Council adopt Resolution No. 20-3278 authorizing application for, and receipt of, local government planning support grant program funds from HCD for grant funding through LEAP.

RESOLUTION NO. 20-3278

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MONTCLAIR, CALIFORNIA, AUTHORIZING APPLICATION FOR, AND RECEIPT OF, LOCAL GOVERNMENT PLANNING SUPPORT GRANT PROGRAM FUNDS FROM THE STATE OF CALIFORNIA, DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT (HCD) FOR GRANT FUNDING THROUGH THE LOCAL EARLY ACTION PLANNING GRANT PROGRAM (LEAP)

WHEREAS, pursuant to Health and Safety Code 50515 et. Seq, the Department of Housing and Community Development (Department) is authorized to issue a Notice of Funding Availability (NOFA) as part of the Local Government Planning Support Grants Program (hereinafter referred to by the Department as the Local Early Action Planning Grants program or LEAP); and

WHEREAS, the City Council of City of Montclair desires to submit a LEAP Grant Application package ("Application"), on the forms provided by the Department, for approval of grant funding for projects that assist in the preparation and adoption of planning documents and process improvements that accelerate housing production and facilitate compliance to implement the sixth cycle of the Regional Housing Needs Assessment (RHNA); and

WHEREAS, the Department has issued a NOFA and Application on January 27, 2020 in the amount of \$119,040,000 for assistance to all California Jurisdictions; and

WHEREAS, To achieve these goals, the Local Government Planning Support Grants Program provides one-time grant funding to jurisdictions for technical assistance; preparation and adoption of planning documents; and implementation of process improvements; and

WHEREAS, Of the \$250 million made available to the Local Government Planning Support Grants Program, \$125 million has been allocated to councils of governments and other regional entities under the Regional Early Action Planning (REAP) Grants Program and the remaining \$125 million has been allocated to cities and counties under the Local Early Action Planning (LEAP) Grants Program; and

WHEREAS, LEAP Grants Program proposals may encompass a wide range of plans, programs and activities, but must demonstrate a nexus to accelerating housing production and must align with the state's planning priorities, and

WHEREAS, Small localities, such as the City of Montclair, with a population between 20,000 and 59,000 are eligible to apply for a maximum grant award amount of \$150,000.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MONTCLAIR RESOLVES AS FOLLOWS:

SECTION 1. The City Manager or designee is hereby authorized and directed to apply for and submit to the Department the Application package;

SECTION 2. In connection with the LEAP grant, if the Application is approved by the Department, the City Manager or designee of the City of Montclair is authorized to submit the Application, enter into, execute, and deliver on behalf of the Applicant, a State of California Agreement (Standard Agreement) for the amount of \$150,000, and any and all other documents required or deemed necessary or appropriate to evidence and secure the LEAP grant, the Applicant's obligations related thereto, and all amendments thereto; and

SECTION 3. The City of Montclair shall be subject to the terms and conditions as specified in the NOFA, and the Standard Agreement provided by the Department after approval. The Application and any and all accompanying documents are incorporated in full as part of the Standard Agreement. Any and all activities funded, information provided, and timelines represented in the Application will be enforceable through the fully executed Standard Agreement. Pursuant to the NOFA and in conjunction with the terms of the Standard Agreement, the Applicant hereby agrees to use the funds for eligible uses and allowable expenditures in the manner presented and specifically identified in the approved Application

Effective Date. This Resolution shall be in full force and effect immediately upon adoption.

APPROVED AND ADOPTED this XX day of XX, 2020.

ATTEST:

Mayor

City Clerk

I, Andrea M. Phillips, City Clerk of the City of Montclair, DO HEREBY CERTIFY that Resolution No. 20-3278 was duly adopted by the City Council of said city and was approved by the Mayor of said city at a regular meeting of said City Council held on the XX day of XX, 2020, and that it was adopted by the following vote, to-wit:

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

Andrea M. Phillips
City Clerk



CITY COUNCIL AGENDA REPORT

DATE:	JUNE 29, 2020	FILE I.D.:	FIN220
SECTION:	CONSENT - RESOLUTIONS	DEPT.:	MHC
ITEM NO.:	6	PREPARER:	C. CALDEWLL
SUBJECT:	CONSIDER ADOPTION OF RESOLUTION NO. 20-01 ADOPTING THE FISCAL YEAR 2020-21 BUDGET FOR THE MONTCLAIR HOUSING CORPORATION		

REASON FOR CONSIDERATION: Pursuant to state law, the governing body of a local government agency is required to annually adopt an Operating Budget. The Montclair Housing Corporation Board of Directors is requested to consider adoption of Resolution No. 20-01, formally adopting the Montclair Housing Corporation Budget for Fiscal Year 2020-21.

BACKGROUND: The Fiscal Year 2020-21 Preliminary Budget for the Montclair Housing Corporation was submitted to the respective Board of Directors on June 23, 2020.

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

FISCAL IMPACT: It is estimated the proposed Montclair Housing Corporation Budget would provide for a decrease in total balance of \$176,600 during Fiscal Year 2020-21.

RECOMMENDATION: Staff recommends the Montclair Housing Corporation Board of Directors adopt Resolution No. 20-01 adopting the Montclair Housing Corporation Fiscal Year 2020-21 Annual Budget.

RESOLUTION NO. 20-01

A RESOLUTION OF THE MONTCLAIR HOUSING CORPORATION ADOPTING THE FISCAL YEAR 2020-21 BUDGET FOR THE MONTCLAIR HOUSING CORPORATION

WHEREAS, the President has submitted to the Board of Directors of the City of Montclair Housing Corporation the Preliminary Budget for Fiscal Year 2020-21 including all proposed expenditures, estimated revenues, and estimated fund balances; and

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

WHEREAS, the Montclair Housing Corporation has duly reviewed the Preliminary Budget at an adjourned joint meeting open to the public held on June 29, 2019.

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors of the Montclair Housing Corporation hereby adopts the Preliminary Budget as the Annual Budget for Fiscal Year 2020-21.

BE IT FURTHER RESOLVED that funds are automatically reappropriated into the Fiscal Year 2020-21 Budget for all outstanding purchase orders and unexecuted contracts as of June 30, 2020, for which a valid appropriation exists.

BE IT FURTHER RESOLVED that funds are automatically reappropriated into the Fiscal Year 2020-21 Budget for all capital improvement projects included in the adopted Budget that have not been completed as of June 30, 2020.

APPROVED AND ADOPTED this XX day of XX, 2020.

ATTEST: _____
Chair

Secretary

I, Andrea M. Phillips, Secretary of the Montclair Housing Corporation, DO HEREBY CERTIFY that Resolution No. 20-01 was duly adopted by the Montclair Housing Corporation Board of Directors at a regular meeting thereof, held on the XX day of XX, 2020, and that it was adopted by the following vote, to-wit:

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

Andrea M. Phillips
Secretary