



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

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

Monday, December 19, 2022
7:00 p.m.

Remote Participation Information:

Zoom Link: <https://zoom.us/j/93717150550>

Dial Number: 1 (669) 900-6833

Meeting ID: 937-1715-0550

*If you want to submit a public comment or speak on an agenda item, including public hearing and closed session items, please complete a Speaker Card in the Council Chambers or online at <https://www.cityofmontclair.org/public-comment/>. The Mayor/Chair (or the meeting's Presiding Officer) will call on those who submitted requests to speak at the appropriate times during the meeting. Those who did not submit a request to speak who are present at the meeting location may raise their hand during Public Comment to request to speak. Those participating remotely may request speak using the "raise hand" function in Zoom or may dial *9 if on the phone, and then *6 to un-mute when called on to speak. Written comments (200-word limit per agenda item, and 200-word limit for all non-agenda items combined) and requests to speak can also be emailed to cityclerk@cityofmontclair.org at least one hour before the meeting begins.*

Video recordings of Council meetings are available on the City's website at <https://www.cityofmontclair.org/council-meetings/> and can be accessed by the end of the business day following the meeting.

AGENDA

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

II. INVOCATION

In keeping with our long-standing tradition of opening our Council meetings with an invocation, this meeting may include a nonsectarian invocation. Such invocations are not intended to proselytize or advance any faith or belief or to disparage any faith or belief. Neither the City nor the City Council endorses any particular religious belief or form of invocation.

III. PLEDGE OF ALLEGIANCE

IV. ROLL CALL

V. PRESENTATIONS

A. Community Activities Commission Presentation of 2022 Holiday Home
Decoration Contest Winners

B. California Department of Insurance Presentation

VI. PUBLIC COMMENT

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

*If you did not submit a Speaker Card and would like to speak on an item on the **Consent Calendar**, please raise your hand during Public Comment to announce the agenda item you would like to provide comments on. The presiding officer will pull the item from the Consent Calendar and will then call on you to speak at the time of the 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.

VII. PUBLIC HEARINGS

A. Second Reading — Consider Adoption of Ordinance No. 22-1002 Amending Specific Chapters of Title 10 of the Montclair Municipal Code Related to the Adoption of Building Codes to Regulate Construction in the City of Montclair and Establishing January 18, 2023 as the Effective Date of the Codes [CC] 6

B. Consider Adoption of Resolution No. 22-3388 Adopting Environmental Findings Pursuant to the California Environmental Quality Act; Certifying the Mission Boulevard and Ramona Avenue Business Park Project Final Environmental Impact Report (EIR) (SCH#2021010005); Adopting a Statement of Overriding Considerations; Adopting a Mitigation Monitoring Program; and Approving the Project Under Planning Case No. 2021-07 [CC]

Consider Adoption of Resolution No. 22-3389 Modifying the General Plan Land Use Designation of 27.74 Acres at the Northwest Corner of Mission Boulevard and Ramona Avenue, from “General Commercial” (Entire Site) to “M1 Limited Manufacturing” (North Side of Third Street Extension) and “Industrial Park” (South Side of Third Street Extension) (Planning Case No. 2021-07), Contingent on the City Council Certifying the EIR for the Mission and Ramona Business Park Project [CC]

First Reading — Consider Ordinance No. 23-1003 Modifying the Zoning Designation of 27.74 Acres of Land at the Northwest Corner of Mission Boulevard and Ramona Avenue from “C3 - General Commercial,” “MIP - Manufacturing Industrial,” and “M1 - Limited Manufacturing,” to “M1 - Manufacturing Industrial” (North Side of Third Street Extension) and “MIP - Manufacturing Industrial” (South Side of Third Street Extension) (Planning Case No. 2021-07), Contingent on the City Council Certifying the EIR for the Mission and Ramona Business Park Project [CC]

Consider Setting a Public Hearing for Second Reading and to Consider Adoption of Ordinance No. 23-1003 on Tuesday, January 17, 2023, at 7:00 p.m. in the City Council Chambers [CC]

Consider Adoption of Resolution No. 22-3390 Approving Tentative Tract Map No. 20381 and a Precise Plan of Design for the Site Plan, Floor Plans, Elevations, Colors, Materials, Conceptual Sign Program, and Conceptual Landscape Plan for an Eight-Building Industrial Park Development on 27.74 Acres of Land at the Northwest Corner of Mission Boulevard and Ramona Avenue (Planning Case No. 2021-07) Contingent on the City Council Certifying the EIR for the Mission and Ramona Business Park Project [CC] 15

VIII. CONSENT CALENDAR

A. Approval of Minutes
 1. Regular Joint Meeting — December 5, 2022 [CC/SA/MHC/MHA/MCF] 282

B. Administrative Reports
 1. Consider Receiving and Filing of Treasurer’s Report [CC] 74
 2. Consider Approval of Warrant Register & Payroll Documentation [CC] 75
 3. Consider Receiving and Filing of Treasurer’s Report [SA] 76
 4. Consider Approval of Warrant Register [SA] 77
 5. Consider Receiving and Filing of Treasurer’s Report [MHC] 78
 6. Consider Approval of Warrant Register [MHC] 79

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7. Consider Receiving and Filing of Treasurer’s Report [MHA]	80
8. Consider Approval of Warrant Register [MHA]	81
9. Consider Authorizing a \$2,316.25 Appropriation from the Federal Asset Forfeiture Fund to Purchase a 360-Camera System from Lenco Armored Vehicles for the Lenco Bearcat G3 Tactical Armored Vehicle [CC]	82
10. Consider Authorizing Staff to Advertise for Bid Proposals for the Flashing Stop Sign Replacement Program [CC]	83
 C. Agreements	
1. Consider Amending the 2019-2024 Capital Improvement Program to Include the Monte Vista Avenue Street Widening, Street Rehabilitation, and Sewer Improvement Project from Holt Boulevard to Palo Verde Street [CC]	
Consider Approval of Agreement No. 22-35 with HR Green Pacific, Inc. for Preparation of Plans and Specifications for the Construction of Street Widening, Street Rehabilitation, and Sewer Improvements on Monte Vista Avenue from Holt Boulevard to Palo Verde Street for the Project, Subject to Any Revisions Deemed Necessary by the City Attorney [CC]	
Consider Approval of Agreement No. 22-51 with Aga Engineers, Inc. for the Preparation of Plans and Specifications for the Construction of Traffic Signal Upgrades and Traffic Signal Interconnect and Broadband Fiber Optic Improvements for the Project, Subject to Any Revisions Deemed Necessary by the City Attorney [CC]	
Consider Authorizing an \$880,000 Appropriation from 2021 Lease Revenue Bond Proceeds and \$20,000 from the Sewer Fund for Costs Related to Agreement No. 22-35 and Agreement No. 22-51 [CC]	
Consider Authorizing an \$82,720.85 Design Services Contingency for the Project [CC]	85
2. Consider Approval of Agreement No. 22-110-I-110, an Irrevocable Annexation Agreement with Jason Duc Thinh Nguyen for the Property Located at 11226 College Avenue, Pomona, CA 91766 (APN 1012-391-03-0000), Subject to Any Revisions Deemed Necessary by the City Attorney [CC]	164
3. Consider Approval of Agreement No. 22-114, a Memorandum of Understanding with the Montclair City Confidential Employees’ Association for the Period of July 1, 2022, to June 30, 2024 [CC]	
Consider Approval of Agreement No. 22-115, a Memorandum of Understanding with the Montclair Police Officers’ Association for the Period of July 1, 2021, to June 30, 2025 [CC]	
Consider Approval of Agreement No. 22-116, the Labor Agreement for Management (Nonsafety and Safety) Employees Regarding the Terms and Conditions of Employment for the Period of July 1, 2022, to June 30, 2023 [CC]	
Consider Approval of Agreement No. 22-117, the Labor Agreement for Executive Management Employees Regarding the Terms and Conditions of Employment for the Period of July 1, 2022, to June 30, 2023 [CC]	
Consider Approving the Transfer of the Appropriate Additional Compensation from the Personnel Adjustment Reserve Fund to the General Operating Fund [CC]	171

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4. Consider Approval of Agreement No. 22-118 Amending Agreement No. 21-68 with Securitas Security Services USA, Inc. for Security Guard Services at the Montclair Transcenter [CC]	177
5. Consider Approval of Agreement No. 22-119 with Theresa St. Peter for Professional Human Resources Consulting Services, Subject to Any Revisions Deemed Necessary by the City Attorney [CC]	197
6. Consider Amending the 2019-2024 Capital Improvement Program to Add the Alleyway Improvements Project [CC] Consider Authorizing a \$117,050 Appropriation from 2021 Lease Revenue Bond Proceeds for Costs Related to the Alleyway Improvements Project [CC] Consider Approving Agreement No. 22-120 with L.D. King, Inc. for Professional Design Services for the Alleyway Improvements Project, Subject to Any Revisions Deemed Necessary by the City Attorney [CC]	211
D. Resolutions	
1. Consider Adoption of Resolution No. 22-3391 Making Factual Findings in Compliance with AB 361 for the Continuation of Public Meeting Teleconferencing During Public Health Emergencies for the Period of December 19, 2022, through January 18, 2023 [CC]	232
2. Consider Adoption of Resolution No. 22-3393 Amending the Fee Schedule for the Collection and Disposal of Residential and Commercial Refuse [CC] Consider Approval of Agreement No. 22-121 Amending Agreement No. 18-26 with Burrtec Waste Industries, Inc., for Solid Waste Management Services, Subject to Any Revisions Deemed Necessary by the City Attorney [CC]	236
IX. PULLED CONSENT CALENDAR ITEMS	
X. BUSINESS ITEMS	
A. Consider Adoption of Resolution No. 22-3392 Making Certain Findings for an Exception to the 180-Day Wait Period Pursuant to Government Code Sections 7522.56 and 21224 with Authorization to Hire Leslie Phillips as a Retired Annuitant into the Temporary Part-Time Position of Benefits Coordinator [CC]	273
B. Consider Adoption of Resolution No. 22-3394 Making Certain Findings for an Exception to the 180-Day Wait Period Pursuant to Government Code Sections 7522.56 and 21224 with Authorization to Hire Elizabeth Lew as a Retired Annuitant into the Temporary Part-Time Position of Payroll Analyst [CC]	x277
XI. COMMUNICATIONS	
A. Department Reports – None	

B. City Attorney

1. Closed Session Pursuant to Government Code Section 54956.8
Regarding Real Property Negotiations [CC]

Property: APNs 1009-273-19-0000 and 1010-021-03-0000

Negotiating Parties: City of Montclair, Hernandez Family Trust, and H & G
Newton Family Trust

City Negotiator: Edward C. Starr, City Manager

Under Negotiation: Recommendations Regarding Purchase Price

C. City Manager/Executive Director – None

D. Mayor/Chairperson

E. Council Members/Directors

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

1. Personnel Committee Meeting — December 5, 2022 [CC]

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XII. CLOSED SESSION

XIII. CLOSED SESSION ANNOUNCEMENTS

XIV. ADJOURNMENT

The regular joint meeting of the City Council, Successor Agency Board, Montclair Housing Corporation Board, Montclair Housing Authority Commission, and Montclair Community Foundation Board scheduled for Tuesday, January 3, 2023 has been cancelled due to a lack of pressing business. The next regular joint meeting will be held on Tuesday, January 17, 2023, at 7:00 p.m. in the City Council Chambers.

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 in the Office of the City Clerk between 7:00 a.m. and 6:00 p.m., Monday through Thursday. Please call the City Clerk's Office at (909) 625-9416 or send an e-mail to cityclerk@cityofmontclair.org to request documents via e-mail.

If you need special assistance to participate in this meeting, 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. Myrick, City Clerk, hereby certify that I posted, or caused to be posted, a copy of this Agenda not less than 72 hours prior to this meeting on the City's website at <https://www.cityofmontclair.org/agendas/> and on the bulletin board adjacent to the north door of Montclair City Hall at 5111 Benito Street, Montclair, CA 91763 on Thursday, December 15, 2022.