

MINUTES OF THE REGULAR JOINT MEETING OF THE MONTCLAIR CITY COUNCIL, CITY COUNCIL ACTING AS THE SUCCESSOR TO THE REDEVELOPMENT AGENCY BOARD, AND THE MONTCLAIR HOUSING CORPORATION BOARD HELD ON MONDAY, MARCH 19, 2012, AT 6:59 P.M. IN THE CITY COUNCIL CHAMBERS, 5111 BENITO STREET, MONTCLAIR, CALIFORNIA

I. CALL TO ORDER

Mayor Pro Tem/Vice Chairperson Raft called the meeting to order at 6:59 p.m. and asked that everyone please silence their cell phones, pagers, and other electronic devices as a courtesy to others while the meeting is in session.

II. INVOCATION

Pastor Josh Matlock, Bethany Baptist Church, gave the Invocation.

III. PLEDGE OF ALLEGIANCE

Council Member/Director Dutrey led those assembled in the Pledge.

IV. ROLL CALL

Deputy City Clerk Smith noted for the record that Mayor/Chairman Eaton is not in attendance at tonight's meeting.

Present: Mayor Pro Tem/Vice Chairperson Raft; Council Members/Directors Paulitz, Dutrey, and Ruh; City Manager/Executive Director Starr; Director of Redevelopment/Public Works Staats; Director of Community Development Lustro; City Engineer Hudson; City Attorney Robbins; Deputy City Clerk Smith

Absent: Mayor/Chairman Eaton (excused)

V. PRESENTATIONS - None

VI. PUBLIC COMMENT

A. Ms. Bridgette Washington, Labor Relations Representative, San Bernardino Public Employees Association (SBPEA), 433 North Sierra Way, San Bernardino, stated that she represents general unit City employees. She commented as follows:

1. With regard to decisions made in the last few weeks to lay off full-time tenured employees represented by SBPEA, she stated it perplexes her that Evidence Technician Shawn Grinstead was laid off and replaced by a part-time Police Cadet. She stated that backfilling a laid-off employee with a part-time worker certainly was not the intent of the contract language negotiated with the City. She asked that the City's "decisions be more aligned with honoring the contract, not circumventing the contract," particularly in the decision to lay off Evidence Technician Grinstead.
2. She indicated that decisions made over the past few weeks have directly affected SBPEA unit members, *e.g.*, the decision to continue employing retired employees who receive a pension and a paycheck. She asked how many other retirees besides the one mentioned by City Manager Starr at the last meeting are currently employed by the City. She spoke on

behalf of **SBPEA** unit members who have agreed to cuts to salary and benefits, expressing her concern "that a trend of disparity amongst City employees exists. Whether it is the level of healthcare benefits or the list of classifications to be laid off, the City seems to be operating on an unlevel playing field."

3. She stated that she takes issue with the process used to evaluate the necessity of filling a budget position with a part-time employee who also receives pension benefits for the following reasons:
 - (a) The layoff of full-time employees.
 - (b) The risk of supporting public perception of "double dipping."

Ms. Washington stated, "It is insulting when our unit members learn that the layoff list may only impact **SBPEA** unit members." She concluded her comments by asking staff to consider her position and "let it help in determining decisions that are made from this point on."

Mayor Pro Tem Raft thanked **Ms. Washington** for her comments.

- B. Mr. Anthony Walters**, Labor Relations Representative, 4333 North Sierra Way, San Bernardino, stated that his presence at tonight's meeting is in a supportive role to **Ms. Washington**. He commented as follows:

1. He noted it is unethical to **SBPEA** members that "the City is being overly generous to some employees while requiring other employees to take cuts, which threaten their ability to provide for their families. We are asking for the City Council to be mindful of those who can least afford to take pay cuts and we are also asking the City Council to consider that the highly compensated employees in management and other leadership positions be required to lead by example in terms of reducing pay and benefits."
2. Noting the City Council is relied upon by residents and employees "to have the best interests of the City at heart as you make these decisions," he took issue with the former City Manager's retirement compensation that includes over \$110,000 annually, with an anticipated increase over the next nine years of one million dollars, which would negatively impact public services.
3. He posed the following question to the City Council: "Are the escalating costs of executive retirement compensation a concern for the Council; and, if so, what mechanisms have been put in place to avoid the trend?"

Mr. Walters thanked the City Council for considering the suggestions made by his colleague and him this evening and thanked the Council for its service to the City.

Mayor Pro Tem Raft thanked **Mr. Walters** for his comments.

VII. PUBLIC HEARINGS

- A. Second Reading – Consider Adoption of Ordinance No. 12-928 Amending Section 9.20.460 of and Adding Section 9.20.465 to the Montclair Municipal Code Related to the Equivalent Dwelling Unit Value**

Mayor Pro Tem Raft declared it the time and place for public hearing to consider adoption of Ordinance No. 12-928 adjusting the

equivalent dwelling unit monthly fee for sewer service and invited comments from the public.

There being no one in the audience wishing to speak, Mayor Pro Tem Raft closed the public hearing and returned the matter to the City Council for its consideration.

Council Member Ruh emphasized that as noted by City Manager Starr, this item concerns a sewer connection pass-through fee to the City of Montclair from the Inland Empire Utilities Agency. He advised the fee does not presently impact current homeowners, only new connections to the City Sewer System including substantial home additions.

Moved by Council Member Paulitz and seconded by Council Member Ruh that Resolution No. 12-928, entitled, "**An Ordinance of the City Council of the City of Montclair Amending Section 9.20.460 of and Adding Section 9.20.465 to the Montclair Municipal Code Related to the Regional Sewage Supplemental Capital Outlay Fee,**" be read by number and title only, further reading be waived, and this be declared its second reading.

The City Council waived the reading of the Ordinance.

Second Reading of Ordinance No. 12-928 was adopted by the following ROLL CALL vote:

AYES: Ruh, Dutrey, Paulitz, Raft
NOES: None
ABSTAIN: None
ABSENT: Eaton

VIII. CONSENT CALENDAR

City Attorney Robbins requested that Items C-1 and C-2 be removed from the Consent Calendar for comment.

Moved by Council Member/Director Dutrey, seconded by Council Member/Director Paulitz, and carried unanimously to approve the following Consent Items as presented:

A. Approval of Minutes

1. Minutes of the Adjourned Joint Council Meeting of March 5, 2012

The City Council approved the minutes of the March 5, 2012 adjourned joint meeting.

2. Minutes of the Regular Joint Council/Successor Agency Board/MHC Board/MHA Board Meeting of March 5, 2012

The City Council, City Council acting as successor to the Redevelopment Agency Board of Directors, and Montclair Housing Corporation Board of Directors approved the minutes of the March 5, 2012 regular joint meeting.

B. Administrative Reports

1. Receiving and Filing of City Treasurer's Report

The City Council received and filed the City Treasurer's Report for the month ending February 29, 2012.

2. Approval of City Warrant Register and Payroll Documentations

The City Council approved the City Warrant Register dated March 19, 2012, totaling \$1,370,097.67, and the Payroll

Documentation dated February 12, 2012, amounting to \$582,093.69, with \$414,084.52 being the total cash disbursement.

3. Receiving and Filing of Successor Agency Treasurer's Report

The City Council acting as successor to the Redevelopment Agency Board received and filed the Agency Treasurer's Report for the month ending February 29, 2012.

4. Approval of Successor Agency Warrant Register

The City Council acting as successor to the Redevelopment Agency Board approved the Redevelopment Agency Warrant Register dated 2.01.12-2.29.12 in the amounts of \$2,564.01 for Project I; \$0.00 for Project II; 656,914.44 for Project III; \$3,684.26 for Project IV; \$7,017.03 for Project V; and \$2,500.00 for the Mission Boulevard Joint Redevelopment Project.

5. Receiving and Filing of MHC Treasurer's Report

The MHC Board received and filed the MHC Treasurer's Report for the month ending February 29, 2012.

6. Approval of MHC Warrant Register

The MHC Board approved the MHC Warrant Register dated 2.01.12-2.29.12 in the amount of \$49,863.57.

7. Declaring Police Vehicles as Surplus and Authorizing Their Sale to Private Companies

The City Council declared the following Police vehicles as surplus and authorized their sale to private companies:

<i>Year and Model</i>	<i>Vehicle Identification No.</i>	<i>Mileage</i>	<i>Estimated Sales Price</i>
2002 Chevrolet Trailblazer	1GNDS135022445674	175,907	\$4,000
2003 Ford Crown Victoria	1FAFP71W03X174009	117,510	\$1,500
2004 Ford Crown Victoria	2FAHP71W94X104660	117,490	\$3,000
2006 Ford Crown Victoria	2FAFP71W76X160006	113,399	\$1,500
2006 Ford Crown Victoria	2FAFP71W56X160005	106,977	\$1,500
2006 Ford Crown Victoria	2FAFP71WX6X160002	123,583	\$1,500
2007 Ford Crown Victoria	2FAFP71W67X145983	86,041	\$1,500

C. Agreements

3. Award of Contract to Sequel Contractors, Inc., in the Amount of \$349,722

Approval of Agreement No. 12-16 With Sequel Contractors, Inc., for Construction of the Intersection Rehabilitation Project

Authorization of a \$40,000 Construction Contingency

The City Council took the following actions related to the Intersection Rehabilitation Project:

- (a) Awarded a contract to Sequel Contractors, Inc., in the amount of \$349,722.
- (b) Approved *Agreement No. 12-16* with Sequel Contractors, Inc.
- (c) Authorized a \$40,000 construction contingency.

D. Resolutions

1. **City Council, Acting as Successor to the City of Montclair Redevelopment Agency Board of Directors, Adoption of Resolution No. 12-03 Establishing Rules and Regulations for the Operations of the Successor Agency as a Legal Entity Separate From the City Pursuant to Part 1.85 of Division 24 of the California Health and Safety Code and Taking Certain Actions in Connection Therewith**

The City Council, acting as successor to the City of Montclair Redevelopment Agency Board of Directors, adopted Resolution No. 12-03 establishing rules and regulations for the operations of the Successor Agency as a legal entity separate from the City pursuant to Part 1.85 of Division 24 of the California Health and Safety Code and taking certain actions in connection therewith.

2. **Successor to the City of Montclair Redevelopment Agency Board of Directors' Adoption of Resolution No. 12-04 Creating a Redevelopment Obligation Retirement Fund Pursuant to California Health and Safety Code Section 34170.5 and Taking Certain Actions in Connection Therewith**

The Successor to the City of Montclair Redevelopment Agency Board of Directors adopted Resolution No. 12-04 creating a Redevelopment Obligation Retirement Fund pursuant to California Health and Safety Code Section 34170.5 and taking certain actions in connection therewith.

3. **Adoption of Resolution No. 12-2942 Adopting the San Bernardino Countywide Vision Statement**

The City Council adopted Resolution No. 12-2942 adopting the San Bernardino Countywide Vision Statement.

IX. PULLED CONSENT CALENDAR ITEMS

C. Agreements

1. **Approval of *Agreement No. 12-11* With L.D. King, Inc., for Annual Plan Checking and Design Services**

City Attorney Robbins stated that she would like to make some minor wording changes to proposed *Agreement No. 12-11* and asked that if it is agreeable to the City Council, they approve *Agreement No. 12-11* subject to final approval by her.

Moved by Council Member Paulitz, seconded by Council Member Dutrey, and carried that the City Council approve *Agreement No. 12-11* with L.D. King, Inc., for annual plan checking and design services subject to minor wording revisions by the City Attorney.

2. **Approval of Tract Map No. 18213 Located at the Northeast Corner of Monte Vista Avenue and Moreno Street**

Authorization for Tract Map No. 18213 to Be Recorded With the Office of the San Bernardino County Recorder

Approval of *Agreement No. 12-15*, a *Subdivision Agreement* With GLJ Partners for Development of Tract No. 18213

City Attorney Robbins advised that subsequent to publication of the agenda for tonight's meeting, the following changes to proposed *Agreement No. 12-15* were requested by the

developer, the developer's attorney, and the attorneys for the banks involved with funding the proposed subdivision offsite improvements:

- Throughout the *Agreement*, references to "project" and "work" have been changed to "Offsite Improvements."
- A summary of the costs associated with the Offsite Improvements has been attached to proposed *Agreement No. 12-15*.
- The cost of the Offsite Improvements has been revised from \$1,575,000 to \$1,554,724.89 to reflect the most current cost estimate.
- A "Set-Aside Letter" has been attached to the proposed *Agreement* as Exhibit B. This Set-Aside Letter is referenced in Paragraph EIGHT of proposed *Agreement No. 12-15*. The purpose of the Set-Aside Letter is to provide a source of funds from the subdivider's lender to pay construction costs of the Offsite Improvements and to ensure that contractors and subcontractors can and will be paid. The Set-Aside Letter replaces the performance and payment bonds typically included with a subdivision agreement. The Set-Aside Letter also authorizes either the Public Works Director or the City Engineer to authorize banks to make disbursements to contractors and subcontractors.
- The Set-Aside Letter includes two exhibits of its own. The first exhibit is the legal description of the property where the work will be performed. The second exhibit is a duplicate of Exhibit A of proposed *Agreement No. 12-15* listing the cost estimate of the various items of work.

City Attorney Robbins noted the City Council was provided with revised copies of proposed *Agreement No. 12-15* before the meeting that incorporate these changes and asked that the City Council consider approval of the revised *Agreement*.

Council Member Paulitz inquired as follows:

- (a) Are the changes only of a minor nature?

City Engineer Hudson stated that the changes to the proposed *Subdivision Agreement* are relatively minor. He advised that such agreements typically have three options for a developer to provide the security for ensuring the construction takes place, which are normally a performance bond and payment bond. He noted in this case, the developer is asked to substitute a set-aside letter, which is similar to one of the options in the proposed *Agreement*. He clarified that a set-aside letter is issued by a bank and assures the City that, in this case, about \$1.54 million will be placed in an account to pay for the improvements after the contractors and subcontractors working on the project have done a certain amount of work. He stated that usually on a monthly basis, the developer will make a request for funds from the bank to pay for the work completed; and either the City Engineer or Public Works Director will authorize the funds to be released after City staff has verified the work has been completed. At the end of the project, if there are no liens, stop notices, or any other actions against the project, the developer will request all remaining funds

covered by the Set-Aside Letter be released, which the City authorizes upon approval of the work.

- (b) What about additional costs not covered by the Set-Aside Letter?

City Engineer Hudson stated that the Set-Aside Letter and proposed *Agreement No. 12-15* contain a provision for additional set-aside funds to cover increased items of work not contained in the original plans.

- (c) Does the change of developer have anything to do with timing or the quality of the development?

City Engineer Hudson answered, "Not in our opinion. The subdivision map is signed by the current property owner, Merlone Geier. The proposed *Subdivision Agreement* is with a limited liability company—GLJ Partners—a special limited liability company set up for this development. All the original conditions of development—the architectural design and landscaping, parks, clubhouse, and amenities—all of those original conditions of the development are still in force and will be constructed as the City Council and Planning Commission approve."

Council Member Paulitz thanked City Engineer Hudson for his report.

Council Member Ruh noted there are apparently no substantial differences between the new and prior developers. He asked if there is an anticipated start time for construction of the "Paseos at Montclair," the subject housing development that will be part of the North Montclair Downtown Specific Plan (NMDSP). He stated, "Everybody's really excited about it because of its proximity to the Gold Line."

Mr. Tony Ditteaux, Vice President of Construction, GLJ Partners, stated that his company is on a really tight timeline regarding closing the loan, which is expected to take place this week; and pulling all permits is expected to take place next week. He indicated the project will likely be mobilized the first week in April and grading will probably start 30 days after that.

Council Member Ruh stated, "That is good because it means more jobs in the area, and that is what we need."

Council Member Dutrey noted it is nice to see one of the NMDSP projects finally moving forward and that the vision for that area to create an urban transit village is becoming more of a reality.

Mayor Pro Tem Raft stated, "As Bill said, we are very anxious to see it get started. I cannot wait until it is completed."

Moved by Council Member Paulitz, seconded by Council Member Dutrey, and carried that the City Council take the following actions:

- (a) Approve Tract Map No. 18213 located at the northeast corner of Monte Vista Avenue and Moreno Street.
- (b) Authorize Tract Map No. 18213 to be recorded with the Office of the San Bernardino County Recorder.
- (c) Approve revised *Agreement No. 12-15*, a *Subdivision Agreement* with GLJ Partners for development of Tract No. 18213.

X. RESPONSE - None

XI. COMMUNICATIONS

A. City Attorney/Agency Counsel - No comments

B. City Manager/Executive Director

1. City Manager/Executive Director Starr commented as follows:

- (a) He announced there was a significant break in the February 24, 2012 **Ben Bridge Jewelers** robbery. He stated that Montclair Police Department detectives served search warrants and have arrested seven suspects/perpetrators in a string of jewelry store heists including the smash-and-grab **Rolux** watch robbery at the **Montclair Plaza**. He noted our detectives were instrumental in breaking the case while working with Nevada law enforcement agencies and are confident they will obtain convictions based on the evidence.

Mayor Pro Tem Raft stated, "That is really good news."

Council Member Ruh stated, "Wonderful."

- (b) He noted a letter was sent today to the **City of Pomona** regarding the proposed solid waste transfer station in Pomona. He stated that the **City of Pomona** has been asked to advise us should there be any change to the identified location for the proposed transfer station and also to continue working with staff related to any traffic congestion, truck route, and environmental impact issues.

- (c) He addressed public comments made earlier this evening as follows:

(1) He is unable to comment concerning the Evidence Clerk position because it is currently involved in a complaint process.

(2) In response to **Mr. Walter's** comment regarding former City Manager McDougal's approximately \$110,000 annual compensation above the Internal Revenue Code Section 415(b) limit, staff is allowed to deduct that amount from the City's **California Public Employees' Retirement System (CalPERS)** rate each year, resulting in the amount being cost-neutral to the City.

(3) With regard to "management leading by example," he stated, "Since I assumed the responsibilities of City Manager for the City of Montclair, I have not accepted a salary increase, I have not accepted a benefit increase, I remain at the salary I made as Deputy City Manager, and I am not aware that there has been any management employee in this organization who has received any salary increase or any benefit increase since I became City Manager; and I have been City Manager since March 2010. Again, I remain at the salary that I earned as Deputy City Manager; and it has been two years since I have been in that position. Neither I nor any management employee in this organization has received any salary increase or any benefit increase at all."

- (d) He thanked the City Council for the excellent way in which City Council meetings are conducted and the

efficient way the agendas are handled. He stated that through that process, Montclair is one of the few agencies fortunate enough to have relatively short public meetings typically lasting less than one hour. He noted staff and he certainly appreciate the City Council's review of agenda materials beforehand and for being prepared to address the issues at every City Council meeting, which certainly facilitates staff's ability to process these meetings.

Mayor Pro Tem Raft thanked City Manager Starr for his comments.

C. Mayor/Chairman - Absent

D. City Council/Agency Board

1. Mayor Pro Tem/Vice Chairperson Raft congratulated the Montclair Police Officers who made 22 arrests on February 29, 2012, during an undercover sting operation in cooperation with the **San Bernardino County West End Narcotic Enforcement Team**. She asked that Police Chief Jones relay her commendations to all the officers who participated in the operation.
2. Council Member/Director Ruh commented as follows:
 - (a) He announced the City's Easter Eggstravaganza and Pancake Breakfast will be held on Saturday, April 7, 2012, from 9:00 to 11:00 a.m. at the Montclair Community Center. He noted the event is free to all who wish to attend and includes games and activities for children aged ten and younger, prize eggs, photographs with the Easter Bunny, and a \$3 pancake breakfast. He stated, "This is a tradition in the City of Montclair, and we usually get a very good turnout" and credited the City, **Montclair Kiwanis**, and the **Montclair-Ontario Junior Women's Club** for sponsoring the event.
 - (b) He announced that 20 percent of all tabs at the **Elephant Bar**, 4949 South Montclair Plaza Lane, on Wednesday, March 28, 2012, from 11:00 a.m. to 10:00 p.m. will benefit the **Montclair-Ontario Junior Women's Club** if patrons mention the fundraiser to their servers.
 - (c) He thanked Assembly Member Norma Torres for introducing **Assembly Bill 1600** that would extend the Gold Line to Montclair, which will certainly be beneficial because having it codified into state law will garner the City much more support for the project.
 - (d) He noted **Senator McLeod** held a Women's Appreciation Luncheon last Friday to celebrate Women's Military History Week honoring active duty or veteran service-women to recognize their contributions in the armed forces both here at home and overseas. He stated, "We appreciate the efforts they put forward and the Senator's efforts in recognizing them."
 - (e) He thanked the Montclair Police Department for their work to break the **Ben Bridge Jewelers** robbery case. He stated it was a very scary incident and not one that any community wants to experience, "but we appreciate our Officers' professionalism, dedication, diligence, and pragmatism" in solving the case.

3. Council Member/Director Dutrey commented as follows:
- (a) He commended the Montclair Police Department on the **Ben Bridge Jewelers** arrests, noting the very aggressive band of robbers had been preparing for another heist when apprehended.
 - (b) He thanked City Manager Starr for sending correspondence to the **City of Pomona** regarding the proposed Pomona Valley Transfer Station.
 - (c) Citing a recent newspaper article related to Hispanic districts, he asserted his long-standing belief as a Council Member to represent all community residents including the at least 70 percent Hispanic population in the City. He advised that he has a good understanding of the challenges faced by the Hispanic as well as other ethnic communities in Montclair.
 - (d) He advised that Montclair; Rialto, the city he works for; along with the majority of cities in California are facing difficult economic times. He stated that the state's elimination of redevelopment, representing a \$1.2 million loss to Montclair, is unfortunate and that an editorial in the newspaper last week supported Montclair's proactive approach to mitigating the City's long-term structural deficit through personnel reductions. He advised that the City's goal is to continue providing the maximum number of services to our residents while working to restore the Unreserved General Fund balance—currently at a bare minimum of 15 percent of the General Fund—to a healthy level. In addition, he advised that **CaIPERS'** decision to reduce its expected average annual return on investments is expected to trigger significant increases in cities' employer rates.

Council Member Dutrey expressed his fear related to the financial stability of local government, stating, "I really believe that local governments are in trouble" because of soaring pension costs and the present economy. He stated that the City would have to give careful consideration to the public services it can offer should it face further financial setbacks and that the majority of "local governments are going to be forced to make some dramatic service reductions." He noted he was surprised to learn recently that the Paramedic Program has not been in operation much lately.

Council Member Dutrey discussed the likelihood that the **City of Stockton** will be filing for bankruptcy protection along with a number of other cities in California, particularly Central California, that are facing major financial difficulties.

Council Member Dutrey told the **SBPEA** representatives, "Our hands are tied here in Montclair."

Council Member Dutrey advised City Manager Starr that City retirees should no longer work part time for the City except on a temporary basis for training purposes.

4. Council Member/Director Paulitz commented as follows:
- (a) He expressed his hope that the speedy apprehension of the **Ben Bridge Jewelers** robbery suspects will deter other criminals from committing robberies. He expressed

his disbelief that the robbers could be so brazen as to hit the store during daylight hours, adding, "I am so happy that they have been caught."

- (b) He explained that the **CaIPERS** Board of Directors recently acted to reduce the company's expected average annual return on investments from 7.75 to 7.5 percent, a more realistic annual rate of return. He noted reading in today's *Wall Street Journal* that 6.5 percent would be a more realistic rate. Be that as it may, he noted the reduction in the actuarial rate will result in significant increases to employer rates.
- (c) He noted that in addition to Stockton, the cities of Hercules and Lincoln located in the Central Valley are contemplating filing for bankruptcy.
- (d) He asked if the City is employing **CaIPERS** annuitants on a part-time basis.

City Manager Starr answered, "Yes," advising that most agencies hire part-time employees under the **CaIPERS** 960 formula, which allows a retiree to work part time for up to 960 hours a year. He noted there was no limit on the number of years such employment could continue, so most agencies hired those employees for multiple years.

Effective January 1, 2012, City Manager Starr reported that **AB 1028** went into law that potentially limits how long a **CaIPERS** annuitant could be employed by a public agency. He noted the one **CaIPERS** 960 annuitant at City Hall was advised of the new ruling, and her last workday with the City was in mid-February. He further noted that of the six **CaIPERS** 960 annuitants at the Police Department, two have already terminated employment, one has accepted a volunteer position, and the other three employees will terminate their part-time positions effective May 31, 2012. He stated, "Effective June 1, 2012, the City will no longer employ 960 annuitants, and it is not our plan to revisit that program."

Council Member Paulitz thanked City Manager Starr for the clarification.

- (e) Concerning the comment made earlier regarding salary and benefit cuts, he expressed his understanding that employees have only been asked to pay their shares of their **CaIPERS** pensions because the City can no longer afford to do so. He asked if any employees have received a pay cut other than paying their pension contributions.

City Manager Starr answered, "No employee's pay has been cut, except I would again point out that I have voluntarily not accepted a City Manager salary increase. From that perspective, I have, indeed, accepted a pay cut for the last two years. No employee has been asked to accept a pay reduction. We have, in the past couple of years, asked employees to participate in a furlough program; we have also asked them to pick up a share of the member contribution related to the **CaIPERS** member rate. However, right now, the only thing that we have asked the employees to do for this year forward is to pick up 6 percent of the member contribution. The City continues to pick up the employer rate; and as members of the City Council have pointed out this evening, the employer rate for the City of Montclair will continue

to rise in the foreseeable future because CalPERS has reduced its actuarial rate of assumption and the fact that CalPERS' investment portfolio has suffered tremendously over the past several years because of the lack of performance in the stock market. No employee has been asked to accept a pay reduction. I also want to point out that when an employee does pick up a portion of the member contribution, it is money that they are simply putting into their own retirement plan; and they will receive it back multiplied numerous times when they retire from the organization."

Council Member Paulitz thanked City Manager Starr for the report.

E. Committee Meeting Minutes

1. Minutes of Personnel Committee Meeting of March 5, 2012

The City Council received and filed the Personnel Committee meeting minutes of March 5, 2012, for informational purposes.

XII. COUNCIL WORKSHOP

A. Impound Lot Operational Status Report

Moved by Council Member Dutrey, seconded by Council Member Paulitz, and carried to continue this item to an adjourned meeting on Monday, April 2, 2012, at 5:45 p.m. in the City Council Chambers.

XIII. ADJOURNMENT OF CITY COUNCIL AND SUCCESSOR REDEVELOPMENT AGENCY AND MONTCLAIR HOUSING CORPORATION BOARDS OF DIRECTORS

At 7:38 p.m., Mayor Pro Tem Raft adjourned the City Council to Monday, April 2, 2012, at 5:45 p.m. in the City Council Chambers.

At 7:38 p.m., Vice Chairperson Raft adjourned the Successor Redevelopment Agency and Montclair Housing Corporation Boards of Directors.

Submitted for City Council/Successor to the Redevelopment Agency Board/Montclair Housing Corporation Board approval,

Yvonne L. Smith
Deputy City Clerk