



CITY OF MONTCLAIR

**Montclair Civic Center
5111 Benito Street
Montclair, CA 91763**

May 10, 2012

TO: Honorable Mayor and City Council

FROM: Edward C. Starr, City Manager

SUBJECT: WEEKLY REPORT: May 4-10, 2012

➤ ***CITY MANAGER/ADMINISTRATIVE SERVICES DEPARTMENTS***

- Mayor Eaton is declaring "Casual Summer" effective Monday, May 14, 2012, through Thursday, September 28, 2012, for administrative office personnel. During "Casual Summer," employees not required to wear work uniforms may don casual business attire during normal work hours.

Casual business attire is exactly what the name suggests: relaxed dress wear that is tasteful and appropriate for the office environment. Inappropriate clothing includes, but is not limited to beach/athletic-wear; denim-wear (except on "Denim Thursday"); athletic shoes and "flip slops"; string-strap, strapless, or sleeveless tops; untucked shirt tails, except when the shirt bottom is squared-off or is otherwise designed to be worn untucked; tops/shirts that display any inappropriate statements or advertisements; excessively short dresses/skirts; shorts for men and/or women; women's leggings; excessively baggy clothing of any type or style; and clothing of any style or type suggestive of a counter-culture lifestyle. Employees shall, at all times during work hours, wear clothing that covers tattoos, brandings, or other permanently or temporarily applied body markings. Employees should exercise proper judgment by wearing business attire for meetings where such attire is appropriate.

Supervisors may suspend the "casual attire" privilege for any employee exercising inappropriate judgment related to casual attire. Consistent violations of the "Casual Summer" Policy may result in termination of the program.

Individual departments may determine the need to continue the practice of wearing business appropriate attire during "Casual Summer." Department Heads may also allow for a minimum number of City-sponsored event days, or other significant event-related days for pre-approved "relaxed wear" (e.g., logo t-shirts to promote a City-related event or other special activity).

- Yesterday City employees attended Benefits Information Day at the Community Center. Twenty-one vendors were present to answer questions and provide updated information about their services. Vendors were: A.F.L.A.C., American General, Anthem Blue Cross, Arrowhead Credit Union, CalPERS, Chaffey Federal Credit Union, Colonial, Costco, The Counseling Team, Delta Dental, Great West, Kaiser Permanente, Medical Eye Services (through Blue Shield of California), Pre-Paid Legal, Pomona Valley Health Center, Provident Home Loans, R.P.E.A., S.B.P.E.A., Standard Insurance, Wells Fargo Bank, and Wells Fargo Insurance Services.

Employees enjoyed a light lunch in between visiting the various providers. Also, employees who visited all 21 vendors received stickers on their "Benefits Passport Card" and were entered into a raffle for various items that were donated by a number of the provider groups present.

Overall the event went very well and many compliments were received from both vendors and employees. A special "thank-you" goes to Leslie Phillips, Benefits Coordinator, who organized the entire event.

- In October 2011, Governor Brown signed AB 506 (Wieckowski), establishing new requirements for local government agencies considering Chapter 9 bankruptcy filings. The bill allows a local government entity to file a bankruptcy petition, provided it has either declared a fiscal emergency or engaged in a specified mediation process with its major creditors. Chapter 9, Title 11 is a chapter of the United States Bankruptcy Code available exclusively to municipalities to assist in the restructuring of debts. Since 1937, there have been fewer than 600 municipal bankruptcies—in contrast, more than 11,785 businesses filed for Chapter 11 bankruptcy protection in 2009 alone.

When first introduced, AB 506 proposed restricting local government access to the bankruptcy courts by prohibiting the filing of Chapter 9 bankruptcies. The bill was promoted by public sector labor unions following the City of Vallejo bankruptcy filing in 2008. Following the bill's introduction, the League of California Cities and California State Association of Counties (CSA) negotiated amendments to the bill to create a neutral and confidential mediation process that allows governments to work with creditors to restructure debts and expenses outside of bankruptcy court. To date, two cities have availed themselves of the process: Stockton and Mammoth Lakes.

As amended, AB 506 provides that a Chapter 9 filer must either have engaged in mediation or declared a fiscal emergency by majority vote of its governing board. The bill's mediation provision provides for choice of a neutral evaluator, with input from both the entity and its major creditors, and stipulates the mediation process must be completed within a limited time frame—a factor that may make mediation success difficult to obtain.

In the alternative method, a declaration of fiscal emergency must be made following "a noticed public hearing that includes findings that the financial state of the local public entity jeopardizes the health, safety, or well-being of residents of the local public entity's jurisdiction or service area absent the protections of Chapter 9." The resolution must also include "findings that the public entity is or will be unable to pay its obligations within the next 60 days." Prior to declaring a fiscal emergency, the local public entity must give notice of the public hearing and allow the public to comment on the proposed resolution.

The option to declare a fiscal emergency as an alternative to what could be a cumbersome and inconclusive mediation process appears to provide local governments with some latitude in the event a Chapter 9 filing is necessary on an accelerated schedule. The requirement of inability to pay the entity's "obligations within the next 60 days," however, is considerably tighter than the general insolvency eligibility requirement for Chapter 9 under the Bankruptcy Code.

However, last month Assembly Member Wieckowski introduced an amendment to AB 1692 designed to modify the mediation process and strip the fiscal emergency alternative from AB 506 and replace it with the original, untenable language—to prevent municipal bankruptcies at any price. Proposed amendments would create an endless round of mediation with no deadlines, no requirement to act, and no impetus to engage in constructive dialogue and negotiation. The "neutral-evaluator" would no longer be neutral—he or she would have the ability to make unilateral decisions that impact the course of negotiations. Those decisions, and deliberate stall tactics used by any of the participants during negotiations, would prolong the negotiations indefinitely, keeping local governments from resolving their fiscal concerns.

➤ **COMMUNITY DEVELOPMENT DEPARTMENT**

- Last Thursday the Senior Center held its monthly "Senior in the Spotlight" Program which featured George Silva, a local musician who specializes in Latin music. Mr. Silva performed to an audience of over 40 seniors. Many showed off their dancing talents by doing the salsa, rumba, cumbia, cha-cha, and jive! Refreshments included nachos and a variety of beverages.

Photos are featured on Page 7.

- Mark your calendars now for this year's Annual Family Fun Festival, to be held Saturday, June 2 from 11 a.m. to 5 p.m. at Alma Hofman Park. This year's event, "Bringing Spirit to Montclair," will feature carnival rides and games for the kids, a DJ, a BMX demonstration, a skateboarding competition, food vendors, community organizations, and much more. Upcoming issues of the *City Manager's Weekly Report* will feature additional information about this event!

➤ **POLICE DEPARTMENT**

- The Police Department completed its second installment of Suicide Prevention and Intervention Training this week. Training was provided by Nancy Bohl, Director of The Counseling Team International. Dr. Bohl provides counseling nationwide during critical incidents and difficult times. She is often called upon to provide counseling to Montclair City employees during difficult times and crisis situations.

An added bonus to the training was former Montclair Police Officer Alex Canchola as guest speaker. Alex provided insight to new Officers about dealing with the stresses associated with their chosen profession. He also shared some very personal, real-life experiences with everyone.

- Police Officers and Police Sergeants wrapped up Bloodborne Pathogens and Hazardous Waste Operations Awareness (Hazwwoper) Training this week. This training is required every two years for Police Department personnel. Public Works Department employees were able to participate in the required training as well. Considerable savings was realized by combining training for both departments.

This required training meets Occupational Safety and Health Administration (OSHA) regulations and was instructed by retired Fire Engineer Steve Hall.

➤ **FIRE DEPARTMENT**

- Today Fire Engineer Derek Holloway and Firefighter/Paramedic Narek Babayan provided required First Aid and CPR instruction to Public Works Department employees. The First Aid/CPR trainer course follows recommendations and guidelines for the most commonly encountered emergencies and the appropriate techniques to use in emergency situations.

➤ **PUBLIC WORKS/SUCCESSOR REDEVELOPMENT AGENCY**

- On March 8, the City Clerk's Office received and opened bid proposals for the Intersection Rehabilitation Project. Of the 11 bid proposals received, Sequel Contractors, Inc., was deemed the lowest responsive bidder and was awarded the project with a bid of \$349,722.

The project is intended to repair asphalt rutting and remove hazards within intersection areas at the following locations:

Ramona Ave/Holt Blvd	May 14	–	June 28
Central Ave/Palo Verde St	July 2	–	Aug. 9
Monte Vista Ave/Arrow Hwy	Aug. 13	–	Sept. 21

Lane closures and traffic detours can be expected at these locations during the listed construction schedule.

Funding for this project comes through SANBAG as Local Stimulus Funds and a small portion from Measure I.

- At the end of last year, mall operators and retailers nationwide were wondering, "Where are all the shoppers?" Despite higher retail sales, foot traffic at stores declined in the final months of 2011, according to ShopperTrak, the world's largest provider of people-counting services for retailers and malls. This trend reflected an increase in purchases made online and on mobile devices, as well as consumers consolidating trips to the store in the face of higher gasoline prices. The news for the first quarter of 2012, with the number of shoppers going to stores, was flat from the first quarter of 2011.

Since the second quarter began, ShopperTrak reports foot traffic has been on the rise. That is obviously good news for brick and mortar retailers that see higher store traffic as an opportunity to turn browsers into buyers. With Mother's Day coming up this weekend, the news could get even better. ShopperTrak said it expects national sales to rise 6 percent in the week leading up to Mother's Day, with foot traffic climbing 3.7 percent. ShopperTrak's estimates are more or less consistent with other Mother's Day forecasts, which are calling for solid sales growth. The National Retail Federation, the industry's trade group, expects spending on Mother's Day gifts to rise about 8 percent this year to about \$18.6 billion nationwide.

Mother's Day is the second biggest gifting holiday on the calendar behind Christmas. Let's hope that Montclair's retailers and restaurants realize these estimated increases in shoppers and sales.

ECS:spa

*"You cannot shake hands with a
clenched fist."
~ Indira Gandhi*

MAY 2012



13	Mother's Day	
14	Planning Commission Meeting Council Chambers	7:00 p.m.
17	Safety Committee Meeting City Hall Conference Room	9:00 a.m.
17	Public Works Committee Meeting City Hall Conference Room	2:00 p.m.
21	Code Enforcement Committee Meeting City Hall Conference Room	6:00 p.m.
21	City Council Meeting Council Chambers	7:00 p.m.
28	Memorial Day – City Offices Closed	
28	Memorial Day Program City Hall Memorial Garden	6:00 p.m.
29	Planning Commission Meeting Council Chambers	7:00 p.m.



Senior in the Spotlight Program An Afternoon of Latin Music

