



CITY OF MONTCLAIR

Montclair Civic Center
5111 Benito Street
Montclair, CA 91763

June 28 2012

TO: Honorable Mayor and City Council

FROM: Edward C. Starr, City Manager

SUBJECT: WEEKLY REPORT: June 22-28, 2012

➤ **CITY MANAGER/ADMINISTRATIVE SERVICES DEPARTMENTS**

- Last week, the U.S. Supreme Court, in a 7-2 decision, issued a narrow but strong warning to public employee unions against using money from dissident members to fund political campaigns. Political analysts suggest the Court has set the ground rules for additional constitutional limits in future rulings.

Justices ruled the Service Employees International Union (SEIU) in California violated the First Amendment rights of its dissident members by taking fees from special assessments to fight two anti-union ballot measures sponsored by then Governor Arnold Schwarzenegger. Speaking for the Court, in *Knox v. SEIU*, Justice Samuel A. Alito Jr. argued, "When a public sector union imposes a special assessment or dues increase, the union may not exact any funds from nonmembers without their affirmative consent." The Court's decision does not relate to annual dues.

In states like California that allow "agency shops," unions are accorded by law the right to charge even nonmembers dues related to collective bargaining. However, the First Amendment has been interpreted to protect the rights of workers against rules forcing them to pay for a union's political activities. In California, employees must affirmatively opt out if they do not want their share of fees to pay for political activities.

In his majority opinion, Justice Alito hinted the right rule would be for employees to "opt in" before the union can collect full fees. Requiring objecting members to opt out represents a "remarkable boon for unions," Alito said. The Justice called SEIU's actions "indefensible."

The anti-union tone of the opinion suggested for many Court watchers the Justices may be moving toward an agenda that would make it harder for public sector unions to collect fees from employees who disagree with the political leanings of their unions. The case is considered significant because it declares intent to move from an opt-out system to an opt-in system.

➤ **COMMUNITY DEVELOPMENT DEPARTMENT**

- On Tuesday, Senior Center participants were treated to an afternoon of skits and songs entitled "Remember When" by a theatrical group called Young at Heart. The performers took on the personas of Elvis Presley, Marlene Dietrich, Dean Martin, Frank Sinatra, The Blues Brothers, and a dazzling Marilyn Monroe (who sang the infamous "Happy Birthday, Mr. President.")

Several seniors stated they had not laughed so hard in years! Entertainment and refreshments were sponsored by West End Family Counseling.

- Summer's back and so is the 2012 Summer Concert Series! Mark your calendars to join us at Alma Hofman (Shark) Park on Tuesday nights starting July 10. The concerts begin at 7 p.m. and are presented to the public free of charge. Bring your friends, family, blankets, lawn chairs, and a picnic dinner and enjoy a fun evening in the park under the stars.

As an added bonus, the Splash Pad will remain open until 8 p.m. on concert nights. Refreshments will be for sale by the Montclair Kiwanis Club.

The concert schedule is as follows:

| | | |
|---------|---|-----------------------------------|
| July 10 | — | Remember Then (classic favorites) |
| July 17 | — | Average Jazz Band (jazz) |
| July 24 | — | Ron Johnson Band (big band) |
| July 31 | — | The Ravelers (classic rock) |

➤ **POLICE DEPARTMENT**

- On June 25, the Police Department held a swearing-in ceremony for its newest Reserve Police Officer, Nicholas Lopez.

Nicholas enlisted after high school in the United States Army as an Airborne Infantryman. He served over four years with one overseas deployment to Afghanistan and was honorably discharged from the military in December 2010. With the goal of becoming a police officer, Nicholas attended and graduated from the San Bernardino County Sheriff's Academy in December 2011.

Please join me in welcoming Nicholas Lopez. A photo is featured on Page 8.

➤ **FIRE DEPARTMENT**

- Senior Fire Inspector Richard Rivera is retiring effective June 30, 2012, after 22 years with the City. Richard came to the City of Montclair in November 1990 from the City of Redlands, where he had worked for 15 years.

Richard has "worn a few hats" during his career and has been a dedicated employee.

Thank you, Richard, for your years of commitment and service to the City of Montclair. Congratulations and best wishes on your retirement!

➤ **PUBLIC WORKS/SUCCESSOR REDEVELOPMENT AGENCY**

- Construction for the Carlton Street Improvement Project was completed this week. Improvements include a new sewer main line and several sewer connections; curb, gutter and sidewalk; pedestrian ramps; asphalt pavement; and street lighting.

Residents have been eagerly awaiting the improvements since being annexed into Montclair back in 2006. Many of them have expressed thanks to the City for rejuvenating their "little street" and making it look like some of the newer areas of Montclair.

Funding for the Carlton Street Improvement Project was through a combination of federal Community Development Block Grant (CDBG) funds and Measure I. The CDBG funds are intended to improve public infrastructure and can only be used in certain target areas approved by the federal government. Measure I funds are less restrictive, requiring only City Council approval, but still are intended for use only within the public right-of-way.

The two pictures below show before and after conditions.



Before



After

- Those of you who work past 6 p.m. and on Fridays may see some new faces around City facilities come Monday, July 2.

For some time, the City has struggled to maintain an acceptable level of cleaning at its various facilities due to limited staffing levels and the inability to fund additional staff.

In view of budget losses from the dissolution of the Redevelopment Agency, and to determine if a higher level of custodial services could be attained, Facilities and Grounds Superintendent Mike McGehee was tasked with preparing a scope of services of all desirable custodial needs and a request for proposals (RFP) for those services.

The RFP included a list of the maintenance activities that must be completed daily, weekly, monthly, quarterly, and annually. All Civic Center buildings and the Police Department were included on the list.

The two primary goals were improving the level of service and getting that level of service at a lower cost (much like the City was able to do several years ago by contracting out tree trimming and landscape maintenance services).

Starting July 2 at approximately 6 p.m., Merchants Building Maintenance will start cleaning all facilities at the Civic Center. The contractor will also clean the Police Department once pending background investigations are completed. Lead Custodian Eduardo Minero will remain on staff to supervise the contract employees and do miscellaneous jobs that could not be placed in the custodian contractor's scope of work.

Any problems or concerns with the contract service company should be directed to Facilities and Grounds Superintendent Mike McGehee.

ECS:spa

*"Where liberty is, there is my country."
~ Benjamin Franklin*

JULY 2012



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| 2 | City Council Workshop Council Chambers | 5:45 p.m. |
| 2 | City Council Meeting Council Chambers | 7:00 p.m. |
| 4 | Independence Day – City Hall Closed | |
| 09 | Planning Commission Meeting Council Chambers | 7:00 p.m. |
| 10 | City Manager's Staff Meeting City Hall Conference Room | 9:00 a.m. |
| 16 | Code Enforcement Committee Meeting City Hall Conference Room | 6:00 p.m. |
| 16 | City Council Meeting Council Chambers | 7:00 p.m. |
| 19 | Safety Committee Meeting City Hall Conference Room | 9:00 a.m. |
| 19 | Public Works Committee Meeting City Hall Conference Room | 2:00 p.m. |
| 23 | Planning Commission Meeting Council Chambers | 7:00 p.m. |
| 31 | City Manager's Staff Meeting City Hall Conference Room | 9:00 a.m. |

Senior Center Presents Young at Heart Theatrical Performance "Remember When"





Reserve Police Officer Nicholas Lopez pictured with his mom and dad, Paul and Marni Lopez, and Chief Keith Jones