

CITY OF MONTCLAIR

Montclair Civic Center
5111 Benito Street
Montclair, CA 91763

August 16, 2012

TO: Honorable Mayor and City Council

FROM: Edward C. Starr, City Manager

SUBJECT: CITY MANAGER'S WEEKLY REPORT: August 10-16, 2012

➤ **CITY MANAGER/ADMINISTRATIVE SERVICES DEPARTMENTS**

- Last week, Senate President Pro Tem Darrell Steinberg announced that legislative members would deliver on a comprehensive pension reform bill by early September. The message was delivered to the press after the legislature returned in early August from a month-long summer recess. At the same news conference, Steinberg also indicated he is killing A.B. 1692, a bill that would have altered the mediation process for cities seeking bankruptcy protection.

Steinberg said he wants to put together a package of reforms that include a cap on benefits; a possible hybrid that includes a 401(k) style plan for new employees; and changes that apply to local governments, including the requirement that public employees pay into their respective retirement plans. Steinberg's reform plan is expected to reflect most of what Governor Brown recommended last fall when he announced a 12-point pension reform plan. Despite Steinberg's assertions, a pension reform bill has not yet been written or proposed to legislative members.

Steinberg said changes must address abuses and pension formulas if the state is to avoid implosion within public employee pension systems. Both Brown and Steinberg have made it clear they want to end the annual focus on public employee pensions and need to take pension reform to voters as they seek a tax increase in November 2012.

Labor groups agree that some pension reform is necessary, but disagree with the 12-point plan put forth by Governor Brown. For an extensive summary of the Governor's 12-point pension plan, you can go [here](#) to read an outline of the proposal released in October 2011.

In July, Governor Brown accused the Legislature of failing to act on pension reform, thereby endangering his proposed tax increase. Without pension reform, voters may not be convinced the legislature has done everything possible to avoid asking for a tax increase and instead chose to shield allies of legislative members from taking cuts. At stake is more than \$8 billion worth of proposed tax increases the state is counting on to avoid yet more cuts, including steep cuts to public schools that could shorten the academic year by three weeks.

Legislative members put forth a proposal in early July, but Brown rejected the plan as inadequate, promising to continue the push for pension reform after legislative members returned from their month-long recess. Legislative members argued the plan sent to the Governor went beyond his 12-point plan by adding a number of additional conditions.

Steinberg argued the additional conditions in the legislative proposal respond to technical requirements pushed by the Governor but do not run afoul of the state Constitution. Several of the Governor's proposals have been construed as reducing the value of current employees' pension benefits and, as such, may be unconstitutional.

Yesterday, Assembly Speaker John Perez joined Steinberg by announcing his chamber would also produce a comprehensive public pension reform package this month. In speaking on the issue, Perez said the Assembly would address all 12 of the Governor's pension reform objectives. As in the case of the Senate, Perez indicated the Assembly would add to the Governor's original 12 points.

Political analysts argue that in addition to harming the Governor's effort to seek a tax increase this November, legislative delay has now produced a piecemeal approach to pension reform with some cities advancing local ballot measures. Earlier this year the cities of San Jose and San Diego received voter approval of pension reform measures; ballot box pension reform was also enacted in the cities of Pacific Grove, Menlo Park, and Bakersfield.

Public employees' pensions have received increasing attention amidst a rising chorus of voices that blame rising retirement obligations for fiscal challenges up and down the state, including cities that have declared bankruptcy.

Finally, two researchers for the Center for Retirement Research postulate that the ability to modify local government pensions hinges on when the contract is deemed to exist. The researchers argue that if the contract is deemed to exist at the time of retirement rather than at the time a worker is hired, then benefits for current employees could be reduced. Conventional wisdom says that pension contracts in California and other states take effect from the first day of employment. If the new perspective is adopted by legislatures and courts, it could produce unanticipated impacts to pension-related benefits for future retirees.

➤ **COMMUNITY DEVELOPMENT DEPARTMENT**

- Community Development staff met last week with a representative of a major national retailer that is interested in acquiring the former Borders location at 5055 South Plaza Lane. If the pending deal is consummated, the retailer would occupy the entire 43,200 square-foot building (which has been vacant since the former book and music retailer declared bankruptcy and closed all of its stores in mid-2011).

The subject building, located immediately adjacent to Interstate 10, was constructed in 1977 as a warehouse for the JC Penney store at Montclair Plaza. In 1996, the building was renovated to accommodate commercial uses and Borders moved into the southern two-thirds of the building. Inca Computers occupied the northerly portion of the building for about two years beginning in 1998, followed by Sport Chalet during most of the 2000s.

Staff should know within the next month whether the prospective buyer intends to move forward with the acquisition of the property.

- Grading work is underway at the 385-unit Paseos project at Monte Vista Avenue and Moreno Street. The highly anticipated first project within the North Montclair Downtown Specific Plan will be constructed in phases and will take approximately two years to complete.
- Last Thursday, the Senior Center hosted a presentation by the Inland Fair Housing and Mediation Board. Topics of discussion included tenant and landlord rights, as well as issues homeowners might face when selling their home. Seniors also learned about their rights when facing financial difficulties with creditors, how to get the most out of their home, and what to do if they ever face foreclosure.

A photo collage of the presentation is included on Page 7.

- The Montclair Youth Center (MYC) completed the first week of operation for the 2012-13 school year with lots of energy, excitement, and promise for a great year. There were approximately 50 students at the program each day, with a record 72 participants in attendance last Friday. The 7th through

10th grade students enjoyed making tote bags from old T-shirts, H2O volleyball, scrapbooking, Minute to Win It contests, making funnel cakes, and dance competitions.

The MYC has seen many new participants along with returning faces from the summer program. Youth Center staff looks forward to planning more exciting programs for our youth and welcoming new participants.

A photo collage of last week's activities is included on Page 8. For more information on the MYC, please phone (909) 625-9482 or (909) 625-9496.

- The City's Mini-School Program began its fall session this week at its new location at the Montclair Transcenter Kids Station building. Parents and students were very excited to see the new and improved much larger facility.

There are two sessions in operation: Mondays and Wednesdays and Tuesdays and Thursdays, both from 9 a.m. to Noon. Space is still available in both sessions.

The Mini-School Program promotes kindergarten readiness by developing social skills through imaginative, cooperative play. They learn alphabet and number recognition, the days of the week, and colors and shapes.

Special thanks are extended to Public Works Department staff, especially Facilities and Grounds Superintendent Mike McGehee and Building Maintenance Technician John Conley, for readying the building for the opening.

Information on the Mini-School Program can be obtained by phoning (909) 625-9479. Photos of the Program's first week are featured on Page 10.

- Approximately 150 City employees attended Human Services' Annual All Employee Summer Barbecue held on Tuesday at the Senior Center. A special dessert of ice cream sundaes was served for dessert. Seniors that arrived at 11 a.m. for the daily nutrition program were pleasantly surprised to be treated first for the barbecue. The highlight of the event was a slideshow featuring pictures of many City staff members and volunteers, taken at various times throughout the year.

The Human Services Division extends its appreciation to everyone who helped out!

A photo collage is included on Page 9.

➤ **POLICE DEPARTMENT**

- With the financial crisis facing the cities of Upland and Montclair, Police Chief Keith Jones met with Upland Police Chief Jeff Mendenhall to examine the cost of maintaining a joint Special Weapons and Tactics (SWAT) team. Because the mandated two days per month training and associated payroll costs weighed against the actual number of times the team was utilized, the Police Chiefs decided to disband the Upland/Montclair SWAT team. The Montclair Police Department does not have the resources in both personnel and finances to maintain its own SWAT team.

Both police agencies reached out to the San Bernardino County Sheriff's Department for its SWAT services. The Sheriff's Department has agreed to respond as a mutual aid request.

Today, during a Sergeants' meeting at Montclair Police Department, command staff from the Sheriff's SWAT team provided training on the roles and responsibilities of both Departments during a Sheriff's Department SWAT mission.

➤ **FIRE DEPARTMENT**

- On August 11, the on-duty crew at Fire Station No. 1 gave 80 members of the Iglesia Ni Cristo Church, per their request, a tour of headquarters. Fire personnel also provided an up-close look at the apparatus they use as Fire Fighters.

The church members were very happy with the visit and appreciated the time the Fire crew spent with them.

➤ **PUBLIC WORKS/SUCCESSOR REDEVELOPMENT AGENCY**

- For the past two fiscal years, the Public Works Department has been installing anti-graffiti film on all of the windows in the Civic Center buildings. Since the completion of the installation in October 2011, numerous windows have been etched; however, because of the anti-graffiti film, repair costs have been reduced by as much as 80 percent. In addition to the cost savings, the film can be replaced at a moment's notice whereas replacement glass must be ordered and can take up to several weeks. Leaving graffiti in place for several weeks can attract additional graffiti and vandalism.

Although very time consuming to install, the anti-graffiti film is working out well for the City.

ECS:spa

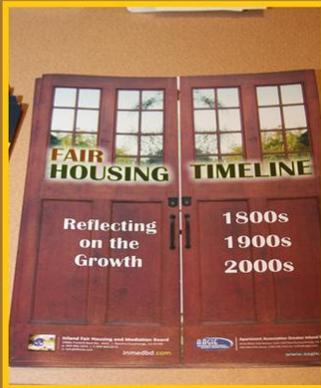
*"The greatest justice in life is
that your vision and looks tend
to go simultaneously."
~ Kevin Bacon*

AUGUST 2012



16	Public Works Committee Meeting City Hall Conference Room	2:00 p.m.
20	Code Enforcement Committee Meeting City Hall Conference Room	6:00 p.m.
20	City Council Meeting Council Chambers	7:00 p.m.
27	Planning Commission Meeting Council Chambers	7:00 p.m.

Senior Center Inland Fair Housing and Mediation Board Presentation



SCRAPBOOKING

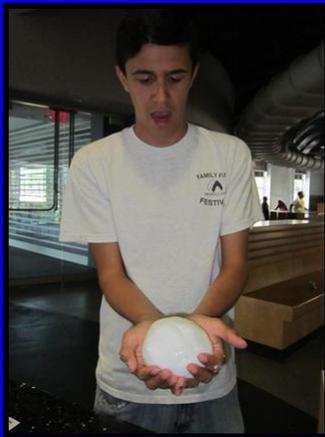


JUST DANCE



M.Y.C. WEEK 2

SLIME TIME



FUNNEL CAKE TIME



WATER BALLOON VOLLEY BALL



GAME ROOM



City of Montclair Summer Bar-B-Que

August 14, 2012



Montclair Mini-school Grand Opening Week

