



December 19, 2013

TO: Honorable Mayor and City Council

FROM: Edward C. Starr, City Manager

SUBJECT: WEEKLY REPORT: December 13-19, 2013

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

- On Monday, the Montclair City Council unanimously approved an Agreement authorizing the sharing of command-level positions between the Montclair and Upland Fire Departments, sharing the cost of designated command and administrative positions, entering into a joint dispatch agreement with the County of San Bernardino (CONFIRE), and dropping service boundaries between the two agencies to achieve enhanced fire-protection and emergency medical response service. Earlier in the evening, the Upland City Council ratified an Agreement accepting the same terms and conditions.

This significant effort between Montclair and Upland marks a growing trend among municipalities to jointly explore alternative, cost-effective methods for service delivery.

Command staff and cost-sharing provisions of Agreement No. 13-100 go into effect on or about January 13, 2014. Dropping of service boundaries will occur on or about July 1, 2014, concurrent with migration to CONFIRE for consolidated joint dispatch services.

Montclair and Upland's overall objectives are to initiate the process of regionalizing fire protection and emergency medical services, expand fire protection and emergency medical resources available to each agency, and produce efficiencies in operating functions and costs.

I commend the City Councils of Montclair and Upland for having the wisdom, leadership, and fortitude to move forward on this joint venture. Together, these respective governing bodies determined to (1) establish a thoughtful, responsible, and proactive policy direction that effectively

responds to the adverse economic impacts of the Great Recession; (2) respond to the challenge by citizens to maintain high service standards; and (3), affirmatively respond to the paradigm of a "New Economy" that mandates responsible fiscal discipline.

Congratulations go to Fire Chief Rick Mayhew on his appointment to lead the Montclair and Upland Fire Departments; and I thank him for his deftness and ability to engender the cooperation of the Montclair and Upland Fire Fighters' Associations to stand behind this broad plan to promote regionalization of fire protection and emergency medical Services.

My gratitude goes to Upland City Manager Stephen Dunn for joining with me in the germination of this long-term effort to enhance the respective abilities of our communities to deliver services. City Manager Dunn, along with Fire Chief Mayhew, brought the concept to the Upland City Council and Upland Fire Department personnel, successfully demonstrating the viability, purpose, strategy, and rewards of our joint venture.

Former Public Safety Director/Police Chief Keith Jones and current Public Safety Director/Police Chief Mike deMoet provided invaluable input and leadership within the Montclair organization. Chief Jones promoted and encouraged the process from the initial stages, and Chief deMoet saw the development process through to its successful denouement. It is now up to Chief deMoet, along with Acting Deputy Fire Chief Steve Jackson and Division Chiefs Bob Crouch and Dave Pohl, and their Upland counterparts, to bring full implementation to each of the concepts laid out by the respective City Councils.

Members of the Montclair and Upland Fire Departments, including Montclair and Upland Fire Fighter Association members, firmly stood behind each City and their respective command staffs in evaluating various aspects of the proposed agreement to share command staff and drop service boundaries. Without their full support and commitment, it is uncertain what direction or final form the effort would have taken. Their commitment to serve is a recognized standard of excellence. It is certain they recognize the terms and conditions of Agreement No. 13-100 elevate this service standard to new heights.

Finally, I thank Montclair Administrative Analyst Mikey Fuentes for his research and excellent craftsmanship in preparing the comprehensive agenda report that fully detailed the nuances of the proposed Agreement, development of cost impacts related to the joint venture, and original research in 2012 that facilitated the City's evaluation of various alternatives related to the delivery of fire protection and emergency medical services.

- This past week, a Sacramento County Superior Court Judge issued his ruling in *League of California Cities v. Ana Matosantos*. In his decision, the Judge declared the sales and use tax claw-back provisions of AB 1484 (2012) violated various state constitutional provisions. The claw-back provisions of AB 1484 allowed the Department of Finance (DOF) and Finance Director Matosantos to order city sales and use taxes to be withheld where DOF determined that a city's successor agency did not pay the amount demanded by DOF in the true-up payment or due diligence review process.

The court declined to rule on the League's other tax-related argument with respect to the property tax reduction claw-back provisions of AB 1484. In considering this argument, the court found no evidence had been presented that any county auditor-controller had taken, or threatened to take, any action to withhold a city's property tax. The court concluded the relief the League requested is not warranted at this time.

Further, the court stated League arguments claiming AB 1484 constituted an unconstitutional delegation of authority from the Legislature to DOF, and that DOF had violated the Administrative Procedures Act, would best be addressed in a lawsuit by a city that has been subject to a specific action by DOF.

By declining to specifically rule on the latter two arguments, the court left open the potential for individual cities to assert these arguments in future litigation.

The state has 60 days from the ruling date to decide whether to appeal to the California State Court of Appeal.

➤ **HUMAN SERVICES DEPARTMENT**

- On Tuesday, December 17, many City staff members and volunteers took part in the Annual Food and Toy Basket Program sorting in the Community Center. Yesterday, staff and volunteers distributed the baskets to 191 needy Montclair families. Donations from City staff and business and community members helped to provide baskets for these families. As always, it was wonderful to see the appreciation on the faces of the people who received the food and toy baskets, especially so in these challenging economic times.

Special thanks goes to the Fire, Police, Public Works, and Community Development Departments, as well as the Montclair Community Collaborative, Montclair Community Action Committee, Montclair Ontario Junior Women's Club and Montclair business members. Also our appreciation goes to our volunteers for devoting their time and energy to make this program a success. Because you all came through for this cause, we were able to make the holidays a little brighter for needy families

in our community.

Photos of the sorting and distribution are included on Page 11.

- At Monday's City Council meeting, the winners of the Community Action Committee's 2013 Holiday Home Decoration Contest were announced, as follows:

Many Faces of Christmas

Rieger Family, 4641 Highland Street

Holly Jolly Christmas

Rodriguez Family, 4564 Olive Street

Winter Wonderland

Rivas Family, 5247 Monte Verde Street

Lights, Lights & More Lights

Galban Family, 9801 Surrey Avenue

City staff and community members are encouraged to view these award-winning decorated homes in person.

Photos are included on Page 10. Congratulations to all our winners!

➤ **COMMUNITY DEVELOPMENT DEPARTMENT**

- No new information to report.

➤ **FIRE DEPARTMENT**

- With the holiday season upon us, the Montclair Fire Department would like to remind you of the following holiday decorating and natural tree safety tips for a safe and joyous holiday season.

Candles

Never burn candles near a holiday tree or combustible decorations. Keep candles away from curtains. Do not leave candles burning unattended or within reach of small children.

Water Trees Daily

An average natural tree may consume between a quart and a gallon of water per day. If the water level drops below the cut end of the trunk, a seal will form and no more water will be absorbed; so do not forget to water the tree every day!

Fireplaces

Have your chimney inspected by a professional at least once a year and have it cleaned, if necessary. Always use a fire screen, and burn only material appropriate for fireplaces. Never burn trash or paper in a fireplace; burning paper can float up your chimney and onto your roof or into your yard. Remove ashes in a metal container. Never store ashes in your home. Add wood to fireplaces carefully; sparks can fly into the room while the screen is open.

Monitor Holiday Lights

Always check lights for frayed or cracked wiring and broken sockets. Do not attempt to repair a worn light—throw it away! Turn off tree lights when leaving the house or before going to bed. Avoid overloading circuits. Plug no more than three light sets into a single outlet.

Remove and Recycle Trees Promptly

After the holidays, remove a natural tree from the house as soon as possible. Never burn any part of a holiday tree in a wood stove or fireplace; it burns too fast and is explosive! The best alternative is to recycle your tree through the City's Christmas Tree Recycling Program. Set out your Christmas trees curbside on your regularly scheduled trash day beginning Thursday, December 26, 2013, through Friday, January 10, 2014. Please remove all stands, ornaments, tinsel, plastic, nails, and other objects from trees before setting them out. Flocked trees will not be accepted in the recycling program.

➤ **POLICE DEPARTMENT**

- Assemblymember Freddie Rodriguez rode along with Patrol this past Friday evening to become acquainted with the City of Montclair, which is one of the cities in the 52nd District of which he serves. The other cities are Chino, Ontario, Pomona, and unincorporated portions of Fontana. Before he was elected to the State Legislature as its newest member in a special election held on September 24, 2013, Assemblymember Rodriguez was a member of the Pomona City Council.

Our Officers look forward to more ride-alongs with the Assemblymember in the future.

➤ **PUBLIC WORKS DEPARTMENT**

- Mr. Jeff "Buck" Flanders is calling it quits and retiring after 39 years of service to the City of Montclair. I would personally like to thank Buck for his many years of service to the City, both as a Maintenance Worker and then as Lead Worker for the Streets Division. Buck's last day will be December 26, 2013.

Buck began his career with the City on January 6, 1975, and during his tenure, he achieved much and contributed greatly, such as:

- ✓ the design and construction of the "Santa Sleigh" that has been used for many years
- ✓ the design and construction of the Memorial Wall at the City Yard
- ✓ the fabrication and installation of a replacement plaque at Freedom Plaza after the bronze plaque was stolen
- ✓ the design and fabrication of a custom asphalt spreader box
- ✓ assisted with the design and installation of the 2006 Time Capsule for the City's 50th anniversary
- ✓ directed the restoration and clean up of the Reeder Ranch
- ✓ assisted with the construction of a new employee patio at City Hall
- ✓ and most recently, he refurbished the birds that once "flew" at Montclair Plaza for installation at City Hall

One other major accomplishment was the design and construction of a special red curb painter that attaches to a drivable striper. This attachment has allowed the Public Works Department to save time in painting all the red curbs throughout the City. What once took two Maintenance Workers two months to paint by hand now takes two weeks to complete. Buck received an achievement award through the Pacific Southwest Maintenance Management School for this invention.

Yesterday, we celebrated Buck's retirement with a luncheon at the Senior Center. Some funny stories were shared by people who have worked with Buck over the years, though at 39 years with the City, no one came close to working with him *all* those years. Some of the stories are considered classics and are sure to be told for years to come.

In retirement, Buck plans on going through his many treasures that he has collected at auctions, estate sales, and yard sales throughout the years. He also plans on building a large log cabin in Wrightwood where he has a large vacant lot overlooking some beautiful scenery.

Buck, thank you for your dedication and support to the City and your coworkers for the past 39 years. We will all miss you very much.

➤ **SUCCESSOR REDEVELOPMENT AGENCY/MONTCLAIR HOUSING CORPORATION**

- This year retailers are divided on whether shoppers' spending will increase or decrease from the previous year. There is less time for retailers to get the holiday shopping experience right this year because the time for shopping between Thanksgiving and Christmas—the traditional holiday shopping season—is the shortest since 2002, and six days shorter than last year's shopping season. Opinions by retail analysts are split on whether the abbreviated period simply will compress people's purchasing time or hurt total spending. In any case, retailers are feeling the pressure.

In an interview with MSNBC, Wal-Mart CEO Bill Simon told reporters predicting consumer intention is difficult because the market place headwinds and tailwinds have not been seen in combination before. Consumers are paying more in payroll taxes and anticipating higher health-care costs; plus, they lack confidence in Washington lawmakers. There is unease about the job market and the sluggish economy. However, competition for shopper dollars is so intense that retailers are offering some of the best promotions in years this holiday season. Consumers have been paying down their household debt to near record-low levels; but the Federal Reserve Bank of New York showed a rise in debt for the first time in five years. This suggests that people may be willing to charge more. Layer on factors such as rising home values, gasoline prices at their lowest holiday level in four years, and the growth in on-line shopping, and a case could be made for a jolly holiday for retailers.

Which side of the holiday spending issue will win out is still up in the air. The National Retail Federation forecasts total holiday sales will rise 3.9 percent from last year. Deloitte's analysts estimate an increase in spending of 4 percent to 4.5 percent over last year. Citigroup expects holiday sales to be soft, forecasting only a 2.1 percent increase over the 2012 holiday season. Morgan Stanley predicts the weakest holiday season since 2008, estimating growth of just 1.6 percent over last year.

No matter how holiday spending turns out, retailers will have looked for every opportunity to coax shoppers to spend. Efforts to boost outlays, such as opening stores on Thanksgiving, are seen by many analysts as a trend that will not let up. Black Friday began as an experiment several years ago to increase the shopping period and it now appears to have become a tradition in much of the retail community.

ECS:spa

"Then give to the world the best you have, and the best will come back to you."

~ Madeline Bridges

DECEMBER 2013



19	Public Works Committee Meeting - Canceled	
23	Planning Commission Meeting – Canceled	
23 – 26	City Hall Closed in Observance of Christmas	
31	City Hall Closed for New Year's Eve	

JANUARY 2014



01	City Hall Closed in Observance of New Year's Day	
06	City Council Meeting Council Chambers	7:00 p.m.
08	Oversight Board Meeting Council Chambers	6:00 p.m.
08	Community Action Committee Meeting Council Chambers	7:00 p.m.
13	Planning Commission Meeting Council Chambers	7:00 p.m.
14	Strategic Planning Session Senior Center Dining Room	4 p.m. - 8 p.m.
16	Safety Committee Meeting City Hall Conference Room	9:00 a.m.
16	Public Works Committee Meeting City Hall Conference Room	2:00 p.m.
20	City Hall Closed in Observance of Martin Luther King, Jr. Day	
21	Code Enforcement Committee Meeting City Hall Conference Room	6:00 p.m.
21	City Council Meeting Council Chambers	7:00 p.m.
27	Planning Commission Meeting Council Chambers	7:00 p.m.

2013 Holiday Home Decoration Contest



Winners



Holly Jolly Christmas



4564 Olive Street

RODRIGUEZ FAMILY



5247 Monte Verde Street

RIVAS FAMILY



Winter Wonderland



Lights, Lights & More Lights



9801 Surrey Avenue

GALBAN FAMILY



4641 Highland Street

RIEGER FAMILY



Many Faces of Christmas



2013 Holiday Food & Toy Drive

Sorting & Give Away



December 17 & 18, 2013

Happy Retirement Jeff "Buck" Flanders!



39 years!



Thank you Buck!

