



January 16, 2014

TO: Honorable Mayor and City Council

FROM: Edward C. Starr, City Manager

SUBJECT: WEEKLY REPORT: January 10-16, 2014

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

- Citing complaints about the underrepresentation of minorities on several city councils in California, Assemblyman Roger Hernández (D–West Covina) plans to introduce legislation later this month requiring district-based elections for cities with populations of 100,000 or more.

The proposed bill would require district-based elections, instead of at-large elections, for all general law cities with populations of 100,000 or more. Currently known as the Municipal Fair Representation Act, the proposed bill would not apply to charter cities.

"This bill would adhere to the Voting Rights Act of 1965 by providing underrepresented groups throughout California an opportunity to have their voice represented," Hernández said in a statement. "It's important that we do our best as governmental leaders to have voting systems in place to give our diverse populations the best chance of having reflective representation."

The announcement comes as several Los Angeles area cities, including Anaheim, Compton, and Palmdale are facing lawsuits, or have been involved in suits, seeking to have their at-large voting systems tossed and replaced with district-based voting systems. The City of Anaheim has reportedly entered into settlement talks stemming from a lawsuit brought by the American Civil Liberties Union (ACLU) in which the ACLU accused the City of Anaheim of violating the California Voting Rights Act of 2001 by promoting "racially polarized voting."

Similarly, Los Angeles Superior Court judge Mark Mooney ruled this past July that the City of Palmdale's at-large voting system violated the California Voting Rights Act of 2001.

Under the California Voting Rights Act of 2001, if an at-large voting system is found to be "racially polarizing" or "impairs the ability of a protected class to elect candidates of its choice or its ability to influence the outcome of an election," then it must be replaced with district-based systems.

Hernández' proposed legislation would expand the California Voting Rights Act of 2001 by not requiring a showing of racial polarization to impose district-based elections, according to Paul Mitchell of Redistricting Partners, a Sacramento consulting firm.

The rationale behind the proposed legislation is that at-large voting results do not always reflect demographics, particularly in cities where substantial minority populations have failed to translate into equally diverse city councils.

"District-based elections would not only encourage residents to run for public office, but would also encourage newcomers to be competitive during election season," Hernández further stated.

Twenty-three California cities would be affected by the proposed legislation, according to Redistricting Partners. Under the proposed legislation, the City of Montclair would not be required to switch from an at-large voting system to a district-based system; however, this does not mean the City of Montclair may not switch to a district-based system in the distant future.

➤ ***HUMAN SERVICES DEPARTMENT***

- No new information to report.

➤ ***COMMUNITY DEVELOPMENT DEPARTMENT***

- No new information to report.

➤ ***FIRE DEPARTMENT***

- Captains Sergio Mejia and Ed Cook presented four-hour CPR classes on January 9, 10, and 12. This was mandatory training for all suppression personnel.

➤ ***POLICE DEPARTMENT***

- Lieutenant Brandon Kumanski graduated yesterday from the Sherman Block Supervisory Leadership Institute, Class 343. The commencement ceremony, held at the Sheraton San Diego Hotel, was attended by Chief Mike deMoet and Captain Robert Avels.

The Sherman Block Supervisory Leadership Institute (SBSLI) is a program designed to stimulate personal growth, leadership, and ethical decision-making in California law enforcement front-line supervisors. Designed and implemented in 1988 through the efforts of California law enforcement professionals and top educators and trainers, the SBSLI is an intense program based on experiential learning techniques. Students are challenged to learn new ways to resolve issues through group and individual work.

The curriculum takes students through an analysis of management and leadership and how each discipline compliments the other. The course progresses from self-evaluation, to interpersonal evaluation, to organizational relationships.

The SBSLI consists of eight 24-hour sessions held approximately every four weeks. The total course hours are 192. Students are expected to attend all sessions. A considerable amount of reading and writing is required between sessions on the student's own time. A minimum of two books are assigned per session, and written book reviews of both are required. Students must be prepared to discuss the readings and take part in all learning activities, as well as actively participate in classroom discussions. A final team project is completed and presented in the last session.

Please join me in congratulating Brandon on this outstanding achievement!



Lt. Brandon Kumanski receiving his certificate of completion

➤ **PUBLIC WORKS DEPARTMENT**

- Recently, the City Yard received two calls regarding sewer backup issues on Kingsley Street within two blocks of each other. The problem was the same with each—a blocked sewer lateral. With some research, it was determined that Monte Vista Water District (MVWD) had constructed an 8" water main line replacement that crossed the problem areas. It was suspected, and later verified, that while installing the water line, the contractor had cut through the sewer laterals.

Superintendents from both agencies met to discuss the problems and decided a joint effort to repair the blocked laterals would be the best approach and would give maintenance personnel from both agencies a chance to work together on a special project.

Each repair took about six hours to complete with staff from both agencies sharing equipment, tools, labor, and experience. Special shoring jacks and panels were necessary to prevent cave-ins. The excavations were between 8 and 11 feet deep. Flaggers were used for traffic control along Kingsley Street.

This repair work was a great exercise for the Public Works Department. It provided an opportunity for our sewer crew, all of whom have been with the City for less than a year, to gain experience working as a team in handling sewer repairs. They also gained valuable knowledge by working with MVWD personnel.

I would like to thank the MVWD, especially Maintenance Superintendent Russ Gray, for their collaborative efforts.

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

- As the economy moves out of the great recession, retailers continue to adjust store locations and their sizes to meet changing consumer demands. Retailers are continuously developing different store prototypes. Big-box stores, such as Wal-Mart and Home Depot, have developed smaller format stores in hopes of gaining markets in more urban areas. Other retailers, such as Blockbuster and Borders, are not the only retailers to have empty stores. Macy's has recently announced it will close five stores, but also has plans for eight new ones.

Vacant retail stores are a visible part of the competitive retail environment and should be accepted as a natural occurrence. Retail stores have the shortest life span of all buildings—just 25 years according to studies by Arthur Nelson, the Director of Metropolitan Planning at the University of Utah. Vacant stores are often perceived as liabilities and an indication

that something is not right in the local economy. But this view is being questioned as more communities reevaluate the positive and negative impact of vacant stores and realize that in both good and bad economic times, vacant stores are going to exist. The issue is determining how the real estate should be positioned and used as an advantage.

The Buxton Company recommends that commercial real estate should be evaluated by local jurisdictions in different ways. An evaluation should be made of the physical condition of the location, buildings, and property. A site may no longer be conducive to commercial development because of its location, size, or condition; and perhaps a change of land use should be considered. The City undertook such an approach with the North Montclair Downtown Specific Plan, and the former Sam's Club site has become the Paseos. If location and condition for retail development are feasible, yet the market for retail development is soft, communities may want to look at the adaptive reuse of retail space. Vacant retail space could be converted into office, medical, or other institutional uses. Additionally, if an active retail venue loses tenancy, communities may want to minimize the appearance of a "dark" store by requiring the maintenance of landscaping and requiring that parking lot lighting and some interior lighting be kept on. By proactively placing conditions on new development (before the building permits are issued) that in the event the store closes, required maintenance provisions would be met.

The bottom line is vacant retail stores and properties will always pose a challenge for communities; but by viewing such locations as opportunities for new development strategies, vacant retail can again become a performing asset rather than a liability.

ECS:spa

"Nothing in the world is more dangerous than sincere ignorance and conscientious stupidity."

~ Martin Luther King, Jr.

JANUARY 2014



I HAVE A DREAM

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.
28	City Manager's Staff Meeting City Hall Conference Room	9:00 a.m.

FEBRUARY 2014



03	City Council Meeting Council Chambers	7:00 p.m.
05	Community Action Committee Meeting Council Chambers	7:00 p.m.
10	Planning Commission Meeting Council Chambers	7:00 p.m.
11	City Manager's Staff Meeting City Hall Conference Room	9:00 a.m.
12	Midyear Budget Review Council Chambers	6:00 p.m.
14	Valentine's Day	
17	Presidents Day – City Hall Closed	
18	Code Enforcement Committee Meeting City Hall Conference Room	6:00 p.m.
18	City Council Meeting Council Chambers	7:00 p.m.
20	Safety Committee Meeting City Hall Conference Room	9:00 a.m.
20	Public Works Committee Meeting City Hall Conference Room	2:00 p.m.
24	Planning Commission Meeting Council Chambers	7:00 p.m.
25	City Manager's Staff Meeting City Hall Conference Room	9:00 a.m.
25	Strategic Planning Session Senior Center Dining Room	4:00 p.m. - 8:00 p.m.