



July 24, 2014

**TO:** Honorable Mayor and City Council

**FROM:** Edward C. Starr, City Manager 

**SUBJECT:** WEEKLY REPORT: July 18-24, 2014

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

- Earlier this month, at the request of Assembly Member Freddie Rodriguez, Mayor Pro Tem Bill Ruh and I met with the Assembly Member and his staff to discuss metal theft legislation and the current status of the Gold Line Extension from Claremont to the Montclair Transcenter.

**Metal Theft Legislation:** Over the past decade, the Montclair Civic Center, City parks and roadways, and City Yard facilities have been targeted by individuals who frequently use the cover of darkness to steal copper wire, aluminum air conditioning coils/components, backflow devices, and manhole covers. Typically, the thieves take the illicitly obtained materials to recycling centers in exchange for a few dollars cash. Unfortunately, agencies, businesses, and homeowners who must replace the stolen materials often find they or their insurance carriers must spend thousands to hundreds of thousands of dollars for parts and labor.

In May 2014, Civic Center facilities were targeted for copper wiring used to provide power to roof-top air conditioning systems. During night-time surveillance, the Montclair Police Department apprehended a suspect within 48 hours.

Frustrated with the growing and costly problem of metal theft, the City asked Assembly Member Rodriguez to consider the following guidelines to facilitate development of legislation that would further enhance the effort to bring metal theft under control:

1. Establish multi-agency task forces in each county, operating under the Department of Justice, to target metal theft operations
2. Require that recycling centers be franchised by the local governing agency. The franchising practice would enable local governments to examine the financial records of recycling centers
3. Prohibit recycling center cash payments over \$20
4. Except as otherwise permitted by law, recycling centers to be prohibited from accepting copper, manhole covers, air conditioners/components, catalytic converters, fire hydrants, backflow valves, and aluminum (except aluminum beverage cans) from other than a licensed contractor certified by the state to purchase and re-sell recycled materials to recycling centers
  - a. Impose or increase fines and/or revoke the permits/certifications issued to any recycling center/licensed contractor who knowingly violates provisions of the law by accepting and paying for recyclable materials in violation thereof
5. In conjunction with drop-off centers for household hazardous waste, establish household metal drop-off centers, hosted by locally franchised waste haulers.

Assembly Member Rodriguez indicated he and his staff would evaluate the City's proposal.

**Gold Line Light-Rail Extension to Montclair:** Assembly Member Rodriguez was asked to consider carrying to the Legislature a request to use Cap-and-Trade Auction income to pay for construction of the Gold Line Extension from the Los Angeles-San Bernardino County Line (County Line) to the Montclair Transcenter (Transcenter). In the Fiscal Year 2014-15 Budget, Governor Brown included approximately \$330 million in Cap-and-Trade income for transit projects. The current estimate to construct light-rail service from County Line to the Transcenter is \$55 million to \$70 million.

Late last month, in a meeting between the San Bernardino Associated Governments (SANBAG), Gold Line Foothill Extension Construction Authority (Authority) and Montclair, SANBAG indicated it did not have funding to participate with the Authority in construction of Phase 2B of the Gold Line Foothill Extension Project from Azusa to Claremont. In its role as the San Bernardino County Transportation Agency, SANBAG would be responsible for construction costs from County Line to the Transcenter.

Construction on Phase 2B is currently scheduled to begin in 2017, provided Phase 2B is included in the Los Angeles County Metropolitan Transit Authority's (Metro) Short-Range Transit Plan, and provided funding is dedicated for Phase 2B construction. Metro is Los Angeles County's transit authority.

SANBAG also indicated construction of light-rail to the Transcenter would only occur through the use of federal transit funds or state Cap-and-Trade income. Use of federal transit dollars would federalize the project and potentially delay until 2026 the completion of the Gold Line to the Transcenter—the current target date for completion is 2021-22. The use of Cap-and-Trade income could be used in conjunction with Los Angeles County transit funds for construction of Phase 2B and would allow the Montclair Transcenter portion of the project to continue concurrently.

Assembly Member Rodriguez indicated he would be favorable to presenting a request for funding in the state's Fiscal Year 2015-16 Budget.

- Last Saturday, Mayor Paul Eaton, Mayor Pro Tem Bill Ruh, Council Member John Dutrey and I attended Assembly Member Freddie Rodriguez' Summer Open House at his Chino office. Mayor Pro Tem Ruh served admirably as Master of Ceremonies, introducing dignitaries and recognizing the following honorees:

#### **Veteran of the Year**

- Arturo Padilla—Montclair
- Xavier Lopez—Pomona
- Gilberto Rojas—Chino
- Lucio Sagasta—Ontario
- Ann Duson—Fontana

#### **Woman of the Year**

- Shelby DeGraff—Montclair
- Caroline Hemming—Pomona
- Jamie Harwood—Chino
- Barbara Madrid—Ontario
- Socorro Enriquez—Fontana

#### **Small Business of the Year**

- Los Portales—Montclair
- Pomona Fish Market—Pomona
- Executive Plastics, Inc.—Chino
- Bumstead Bicycle Shop—Ontario

### **Teacher of the Year**

- Gary Yearick—Montclair
- Bruce Khan—Chino
- Sandy Robinson—Chino
- Eufemio Escalante—Ontario

### **Champions of Manufacturing**

- California Steel Industries—Fontana
- Vista Metal Corp.—Fontana

### **First Responder of the Year**

- Robert Coster—American Medical Response
- Richard Libed—Cole Schaefer
- Justin Nuber—Chino Valley Independent Fire District
- Andrew Simpson—Chino Valley Independent Fire District

### **Community Hero of the Year**

- Tony Everage

### **Everybody Loves Raymond Academic Scholarship**

- Denise Flores

Montclair extends its gratitude to Assembly Member Rodriguez and congratulations to each of the honorees.

On Thursday, July 31 from 9:30 a.m. to 12:30 p.m., Assembly Member Rodriguez will also host an informational hearing of the Assembly Select Committee on Local Emergency Preparedness in the Montclair Council Chambers. Discussion will focus on how California authorities can assist local first responders in handling spills of hazardous materials, including crude oil spills, from oil-by-rail accidents.

Since his election to the 52nd Assembly District, Assembly Member Rodriguez has demonstrated an eagerness to serve the communities he represents and recognize distinguished district residents and business leaders. Cities within the 52nd District include Montclair, Chino, Ontario, Pomona, and portions of unincorporated Fontana.

- On Tuesday, I met with Federal Legislative Advocate Jamie Jones to discuss federal funding options for extension of the Gold Line light-rail service from Los Angeles-San Bernardino County line to the Montclair Transcenter. Earlier this month, Mayor Pro Tem Bill Ruh and I met with Assembly Member Freddie Rodriguez to discuss state Cap-and-Trade funding as an alternative funding source for Gold Line construction. Montclair was thrust into the funding issue after SANBAG, San Bernardino County's transportation agency, announced last month it had no funding to participate in the Gold Line construction project. The announcement appeared to reverse earlier indications from SANBAG that funding for construction was available.

In the meeting with Mr. Jones, discussion centered around three potential federal funding sources:

1. Small Starts—a component of the New Starts Program. The Small Starts grant is designed for projects that will cost less than \$250 million, with a federal share of no more than \$75 million—SANBAG's current estimated cost of light-rail construction from the County Line to the Transcenter is approximately \$72 million. Small Starts reportedly has a streamlined application and approval process.
2. TIGER Grant. Transportation Investment Generating Economic Recovery (TIGER) Discretionary Grants have no budgetary authorization; however, funds continue to be appropriated annually. TIGER Grants provide a unique opportunity for the Department of Transportation (DOT) to invest in road, rail, transit, and port projects that promise to achieve critical national objectives. Applicants must detail the benefits their project would deliver for five long-term outcomes: safety, economic competitiveness, state of good repair, livability, and environmental sustainability. The program funds large and small projects in urban and rural project areas. SANBAG indicated intent to apply for a TIGER Grant for the Redlands Passenger Rail Project, making it unlikely the Gold Line Extension from County Line to the Montclair Transcenter would be eligible.
3. Livable/Sustainable Communities. The Livable/Sustainable Communities grant is a non-authorized intergovernmental agency-focused program funded by the Departments of Housing and Urban Development, Environmental Protection Agency, and DOT.

Grant funding will depend on congressional reauthorization of MAP-21, the federal governments primary transportation funding bill. Congress has had little success in reauthorizing the bill or a successor; however, both the House and Senate are encouraged that an eight-month extension will occur before August 2014.

Montclair will now schedule a meeting with representatives from the Federal Transit Administration (FTA) to discuss federal funding options, determine the lead agency, and develop a potential timeline for construction.

If federal dollars are used for construction of the Gold Line extension to the Transcenter, the Montclair segment of Phase 2B from County Line to the Transcenter will have to be treated as a separate project from the Azusa to Claremont segment. To address this concern, the Gold Line Foothill Extension Construction Authority is taking measures to segment Montclair in the advanced engineering and environmental consulting work. By this action, the consulting work will continue unimpeded and, in the event grant funding is developed (either federal or state) with an accelerated application and approval process, the Montclair segment can continue on a parallel construction track with the balance of the Phase 2B Gold Line construction project, with scheduled completion by 2021-22.

- Governor Jerry Brown announced he signed several bills into law last week ranging from gun control to the limiting of full-contact football practice for California teenagers.

### **Gun Control**

Two bills signed into law last Friday are intended to tighten controls on gun sales and keep firearms out of the hands of criminals and people who have been confined due to mental health issues.

The first bill, AB 1964 by Assembly Member Roger Dickinson (D-Sacramento), addresses semi-automatic handguns, which can be sold in the state only if they meet safety standards that include not discharging when dropped and exhibit a warning sign when a bullet is in the gun's chamber before it is fired.

An increasing number of people have tried to circumvent those standards by converting handguns into single-shot weapons, which are currently exempt from such standards, then changing them back to semi-automatics when a sale is complete.

Most guns sold in California must comply with the state's safe handgun requirements, including having certain safety devices or meeting specified firing tests, but the law has exempted handguns that hold a single bullet.

The second bill, AB 1591 by Assembly Member Katcho Achadjian (R-San Luis Obispo), requires courts to report to the state Justice Department within one business day when a person becomes barred from having a firearm, either due to certain felony or misdemeanor convictions, or for mental health reasons.

The measure was prompted by a 2013 state auditor report that found the Department of Justice was not receiving prompt notification from the courts when a person became barred from possessing a gun.

AB 1591, also requires courts to notify the department within one business day when a person is no longer subject to that prohibition.

### **CalPERS Investment Training**

AB 1163, by Assembly Member Marc Levine (D-San Rafael), requires board members of California's Public Employees' Retirement System (CalPERS) to receive investment related training every two years. AB 1163 was originally introduced as a way to meet Governor Brown's request to bring "financial sophistication" to CalPERS' 13-member board, which is dominated by public employees and labor union representatives.

Its original language required adding two board members who had financial expertise and did not have a financial interest in the pension system. It also proposed replacing the state Personnel Board representative with the state Director of Finance.

The bill was changed to give board members 24 hours of education every two years, require records of board members' compliance with education requirements, and provide an annual report on CalPERS' website.

The bill provides a broad definition of training, with topics including fiduciary responsibilities, ethics, investment management, actuarial matters, pension funding, benefits administration and governance.

The pension board oversees a portfolio valued at \$299.4 billion for 1.6 million public workers and retirees, but it remains underfunded by billions. Board members are responsible for setting employer contribution rates, determining asset allocations and proving actuarial valuations, among other duties.

Governor Brown had urged for more independence and expertise on the board as part of a 12-point pension reform proposal back in 2011.

### **Furnishing of Alcohol to Minors**

AB 1989, by Assembly Member Wesley Chesbro (D-North Coast) allows students who are at least 18 years of age and enrolled in a winemaking or brewery science program to taste an alcoholic beverage and be exempt from criminal prosecution.

Students will be required to be enrolled in qualified academic institutions, which under the law is defined as a public college or university accredited by a commission recognized by the United States Department of Education.

Under the law, "taste" is defined as a means to draw an alcoholic beverage into the mouth, but does not include the swallowing or otherwise consumption of an alcoholic beverage.

### **Limiting of Full-Contact Football Practice**

AB 2127, by Assembly Member Ken Cooley (D-Rancho Cordova), prohibits middle school and high school football teams from holding full-contact practices during the off-season, and limits them to no more than two full-contact practices per week during the preseason and regular season.

The law limits full-contact practices to two 90-minute sessions per week during the season and preseason. Currently, coaches can hold full-contact practices daily. The law also forces schools to bench players for at least a week if they suffer a concussion. Current rules allow players to return within a day. A concussion is the "short-lived impairment of neurologic functions that resolves spontaneously" but can have lasting physical, emotional, and cognitive symptoms that interfere with school and social and family relationships.

California will join 19 other states that have already banned full-contact high school football practices in the off-season. All bills will go into effect January 1, 2015.

### ➤ **FIRE DEPARTMENT**

- Last week, Fire Captain Thomas Dowser and Administrative Aide Angelic Bird attended the 6th Annual ImageTrend EDS Conference in Bloomington, Minnesota. ImageTrend, Inc. is the creator of a software application the Fire Department began using on April 1, 2014, to collect patient data on emergency medical incidents. The Fire Department is using two ImageTrend products: EMS Field Bridge and Rescue Bridge.

EMS Field Bridge is a pre-hospital patient care data collection and reporting application. This application assists paramedics while they are in the field to quickly generate accurate and complete electronic patient care reports. Data that is collected in the EMS Field Bridge is submitted electronically to the Inland Counties Emergency Medical Agency.

Rescue Bridge is a web-based system that has fire and EMS modules that work together to provide data collection, analysis, and reporting functions. Rescue Bridge is compliant with the following: National Emergency Medical Services Information System, National Fire Incident Reporting System, and Health Insurance Portability and Accountability Act.

At the conference, fire and EMS personnel shared how they have implemented the use of these systems in their agencies. Also, attendees learned how to enhance their organization's ability to electronically collect data and build reports for statistical and compliance purposes.



Fire Captain Thomas Dowser and Administrative Aide Angelic Bird



➤ **HUMAN SERVICES DEPARTMENT**

- Yesterday, Senior Center Volunteer Linda Watson, former owner of Watson's Flowers in Chino, demonstrated the art of making fruit baskets. She shared techniques and several different themes that can be tied in with special occasions and gift-giving.

As an added bonus, Senior Program Specialist Ester Vargas Pipersky shared her easy technique for making delicious fruit parfaits, and everyone sampled the tasty treats.

Photos are included on Page 18.

- Tuesday night at Alma Hofman Park featured a classic rock performance by *The Ravelers*, which was the fourth of five free concerts in the park. The band rocked the crowd of approximately 250 people, including Council Member Carolyn Raft, with a variety of hits that had everyone singing and dancing in their seats.

In the kids' craft area, children made paper guitars.

A photo collage of the concert is shown on Page 19.

Our final concert next Tuesday at 7 p.m. will feature Montclair-based *Mariachi El Aventurero*. Refreshments will be available for purchase and free activities for kids will be offered.

➤ **POLICE DEPARTMENT**

- Monday evening, the City Council authorized the Police Department to move forward with plans to create the Traffic Safety Division. The purpose of the Traffic Safety Division is to reduce traffic-related deaths, injuries, and financial losses through high visibility enforcement, public awareness campaigns, and public education. Lt. Brandon Kumanski will command the new Division utilizing existing personnel to fill two Motor Officer positions. Officer Michael Lang has been selected to fill one of the Motor Officer positions and is wrapping up his third week of training this week, and the Department intends to field him in the near future. The second Motor Officer will likely be appointed and fielded when Office of Traffic Safety grant funds become available in October 2014.

The City Council also approved the purchase of two police motorcycles, installation of emergency vehicle equipment, and outfitting two Motor Officers with appropriate uniform attire and personal protective equipment. The vehicles, equipment, and uniform costs will be funded with grant and asset forfeiture funds.

- Also Monday evening, Chief Mike deMoet and Officer Eric Ruziecki met with 30 concerned residents of The Paseos who have formed a neighborhood watch program. The residents are utilizing nextdoor.com to share information related to their community.

The residents are highly supportive of our crime-fighting efforts and look forward to developing a lasting partnership with the Police Department. They have been urged to contact us when they observe suspicious activity.

Patrol Officers have been asked to familiarize themselves with the relatively new complex and its residents.

- Residents of Montclair and surrounding cities enjoyed themselves at the Police Department's Open House last Saturday. The atmosphere was relaxed and friendly as staff gave tours and members of the Kiwanis Club cooked up hamburgers and hot dogs while the DJ played top 40 classics. Meanwhile, sworn personnel gave demonstrations using police vehicles and equipment in various crime scenarios; children enjoyed having their faces painted; all age groups had fun donning props and posing for pictures in the photo booth.

Mayor Paul Eaton, Mayor Pro Tem Bill Ruh, Council Members Leonard Paulitz and John Dutrey, and I were impressed with the organization of this event. My compliments go to Lt. Brian Ventura on a job well done!

Photos taken at the Open House can be found on the Police Department's Z:drive; Department Shares; Department Photos; Open House 2014.

Here are some photos we would like to share with you now:



From left: Council Member John Dutrey, Council Member Leonard Paulitz, Chief Mike deMoet, and Mayor Paul Eaton



Reserve Officer Keith Dow giving a tour of the shooting range



Captain Robert Avels leading a tour



Mayor Pro Tem Bill Ruh checked out the arsenal



Our thanks to the Kiwanis Club for cooking and serving the food, and the Montclair Fire Fighters Association for providing its cooking trailer



A future police officer

➤ **PUBLIC WORKS DEPARTMENT**

- Over the course of the next few weeks, there will be a contractor working at Alma Hofman Park and the southeast corner of the Youth Center parking lot. The contractor, Motive Energy Telecommunications, Inc., will be demolishing part of the existing wall, and then rebuilding the wall to square it off. The work will create a new equipment area for another cell phone company, Verizon.

After rebuilding the wall, a new wrought-iron fence, similar to that in the northeast portion of the lot, will be built inside the parking lot. Additionally, new wrought-iron fencing will be placed around the existing tower.

It is not anticipated that any vehicles will have to be moved for this work, nor will the contractor have access to the parking lot (except during the wall removal process). Temporary fencing will be installed to maintain security of the parking lot.

Please direct questions regarding the construction or work schedule to Facilities and Grounds Superintendent Mike McGehee at Ext. 466, or Public Works Inspector Jim Diaz at Ext. 442.

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

- Chipotle Mexican Grill boasted a near record same-store sales increase for its second quarter based largely on traffic growth, indicating price increases that began in April have done little to discourage the burrito habits of guests.

Following the release of a second quarter earnings report, Chipotle officials said the 17.3-percent increase in same-store sales was the highest since the company's very first quarter as a public company in 2006, when same-store sales rose an impressive 19.7 percent. At the time, however, the chain had fewer than 500 restaurants, which averaged about \$1.5 million in sales. Chipotle finished the second quarter that ended June 30 this year with 1,681 restaurants, which averaged \$2.3 million in annual sales.

The second-quarter comparative increase was largely driven by a 12.3 percent increase in traffic, at a time when other chains across the industry overall are struggling to increase the number of customers coming through the door. Company officials attributed the brand's *Food with Integrity* positioning, as well as its strong "people culture," which develops top performers in restaurants. But Chipotle also spent more on advertising during the summer months, which will continue into the fall.

The Denver-based chain's audience is broad-based; but recently the company has seen an increase in teenagers—especially male teens—across all economic backgrounds. "Those kids become lifelong customers and they bring their kids and their parents as well," said Monty Moran, Chipotle's co-chief executive.

While teens can be particularly price sensitive, Chipotle’s customers did not appear to balk at menu price hikes over the past few months.

The same-store sales increase was boosted by a 5 percent increase in the average check, of which about 2.5 percent was attributed to the price hikes, which the chain completed in June. Prices were increased roughly 6 percent on average in an effort to address higher commodity costs. Pricing varied by ingredient and by market. Because beef commodity prices have gotten so high, for example, Chipotle increased the price of its steak an average of 9 percent, while chicken prices were up about 5 percent on average. As a result, some consumers shifted from steak to chicken, but there was little to no resistance to the new pricing otherwise, said Jack Hartung, Chipotle’s chief financial officer.

Strong sales have continued into July, Hartung said, but the third and fourth quarter will have tougher comparisons with last year, when same-store sales were up 6.2 percent and 9.3 percent in the third and fourth quarters, respectively. Still, assuming the menu price hikes continue to be accepted by consumers, the company is projecting same-store sales for the year to be up in the mid-teens, Hartung said.

ECS:spa

"An appeaser is one who feeds a crocodile,  
hoping it will eat him last."  
~ Sir Winston Churchill

# JULY 2014

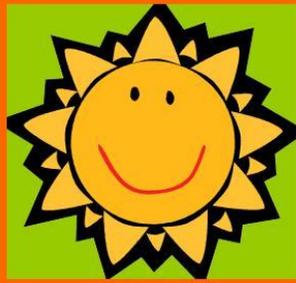
		
28	Planning Commission Meeting - <b>Canceled</b>	
29	City Manager’s Staff Meeting City Hall Conference Room	9:00 a.m.

# AUGUST 2014



4	City Council Meeting Council Chambers	7:00 p.m.
11	Planning Commission Meeting Council Chambers	7:00 p.m.
12	City Manager's Staff Meeting City Hall Conference Room	9:00 a.m.
13	Por La Vida Graduation Council Chambers	4:00 p.m.
13	Oversight Board Meeting Council Chambers	6:00 p.m.
18	Code Enforcement Committee Meeting City Hall Conference Room	6:00 p.m.
18	City Council Meeting Council Chambers	7:00 p.m.
21	Safety Committee Meeting City Hall Conference Room	9:00 a.m.
21	Public Works Committee Meeting City Hall Conference Room	2:00 p.m.
25	Planning Commission Meeting Council Chambers	7:00 p.m.
26	City Manager's Staff Meeting City Hall Conference Room	9:00 a.m.

# Senior Center Presentation



# Summer Concert Series



# The Ravelers

