



October 2, 2014

**TO:** Honorable Mayor and City Council

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

**SUBJECT:** WEEKLY REPORT: September 26-October 2, 2014

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

- Los Angeles County, with its investment of approximately \$50 billion in transit improvements, including construction of 5 rail lines, is outpacing every other area in the nation in public transit construction, earning the County a rating of "transit progressive." Several cities with stops along these transit lines are demonstrating forward-looking vision by pushing to develop transit-oriented districts (TODs) designed to capitalize on a need for upscale, high-density housing widely favored by the Millennial Generation and urban professionals looking to live along and near transit corridors.

In front of this trend to develop TODs, the Montclair City Council, in 2005, adopted the North Montclair Downtown Specific Plan (NMDSP), emphasizing development of high-density housing, pedestrian-friendly corridors, easy access to Montclair Transcenter, economic development in and around Montclair Plaza, and attractive infrastructure improvements. In April 2014, the City Council designated this area from the I-10 Freeway north to Montclair Transcenter, between Monte Vista Avenue and Central Avenue, as the Montclair Plaza District.

The Paseos at Montclair, a 385-unit luxury apartment complex, represents the first housing project to achieve fulfillment of NMDSP objectives. This development is being followed by Arrow Station at Montclair, a 129-unit single family and condominium development. Additional high-density housing projects are expected to follow. The City Council notes that high-density housing is more drought-friendly than lower-density housing units/projects—a factor vitally important for a region that suffers from

persistent, periodic droughts and is expected to continue growing in population.

Earlier this year, CIM Group, a Los Angeles-based partnership of investors, acquired Montclair Plaza from CWCapital Asset Management. CIM Group and its partners chose to acquire Montclair Plaza because of its proximity to public transit access and the promise for development and placement of the property as a major portfolio asset.

Over the past several months, City staff has met weekly with CIM Group representatives, consultants, and architects to discuss redevelopment of Montclair Plaza. These meetings continue as CIM Group refines its development plans.

Other projects in or near the Montclair Plaza District are also moving forward as developers look to invest their dollars in an area that promises to be a retail and residential center for San Bernardino County's west end.

Stepping into this center of activity are Montclair's efforts to bring the Gold Line to San Bernardino County. Gold Line light-rail service is seen as the future standard for public transit in Los Angeles County, with potential for connection to San Bernardino County. With fewer than 20 miles of current active rail, Gold Line's daily ridership is approximately 45,000 passengers, compared to fewer than 42,000 daily passengers for Metrolink, with its network of more than 500 rail miles.

Next year, the Gold Line Construction Authority expects to complete extension of the light-rail service from Pasadena to Azusa (Phase 2A). Construction on Phase 2B of the Gold Line from Azusa to Claremont is expected to begin in 2017, with completion targeted for late 2021.

Montclair Transcenter, the designated terminus of the Gold Line in San Bernardino County, is currently on hold due to San Bernardino Associated Government (SANBAG) funding issues. Earlier this year, the Montclair City Council agreed to work cooperatively with the Gold Line Construction Authority to keep the vision of the Montclair Gold Line terminus alive. To that end, the City Council has committed to advance funding on SANBAG's share of the cost to participate in engineering and environmental consulting work.

Montclair is also working with SANBAG, local legislative leaders, the City's Federal Legislative Advocate (David Turch & Associates), and the Federal Transit Agency (FTA) to develop funding options. Assembly Member Freddie Rodriguez and Senator Norma Torres will work with the City to secure future Cap and Trade funding for construction of the Gold Line from Claremont to the Montclair Transcenter. The FTA has also agreed to discuss the availability of federal transit dollars when Phase 2B is a designated project in the Metro Short-Range Transit Plan.

The Montclair City Council clearly recognizes that a Gold Line terminus at Montclair Transcenter represents the capstone on the City's efforts to revitalize the Montclair Plaza District through a combination of transit, commercial, and housing developments. Extension of the Gold Line to Montclair also fulfills a vision for the Transcenter: to make it the multimodal-transit-hub San Bernardino County's west end cities. Achievement of this objective would establish a multi-directional transit link between the Los Angeles region and the West End.

At its Los Angeles Union Station end, the Los Angeles Metropolitan Transit Authority (Metro) is slowly unveiling a grand plan to remake the 75-year-old station into a modern transit center with restaurants, entertainment, office space, connection to high-speed rail to San Diego and San Francisco, and new transit connections to a swath of downtown Los Angeles with access to business and office districts and cultural and entertainment centers.

Expanding transit options at Montclair Transcenter is integral to the City's forward vision to revitalize the Montclair Plaza District; provide transit connections to locations throughout the region, including San Gabriel Valley, Pasadena, and Los Angeles; encourage economic and housing development; offer transit choices to an array of cultural and entertainment centers; establish the Montclair Plaza District as a destination center; and promote social and environmental improvement of the region.

Bringing light-rail to Montclair Transcenter would also provide an alternative, direct bus connection to Los Angeles-Ontario International Airport (ONT) until such time that Phase 2C of the Gold Line extension from Montclair to ONT is funded and completed. Expanding the I-10 Freeway to include High Occupancy/Toll (HOT) lanes would provide direct, high-speed bus access from Montclair Transcenter to ONT. SANBAG and Caltrans are reviewing plans to construct toll lanes on the I-10 Freeway from Montclair to Redlands. The project proposes widening the I-10 Freeway, converting the existing High Occupancy Vehicle (HOV) lanes to HOT lanes, plus the addition of two additional east-west HOT lanes.

Using Montclair Transcenter as an alternative, direct bus connection to ONT could also be achieved by connecting with the anticipated West Valley Connector Corridor, a bus rapid transit system that uses Omnitrans' Route 61 and Route 66 corridors to connect from Pomona to Fontana, with a planned stop at ONT.

- Last month, in *People v. Superior Court (Johnson)*, a California appellate court held that prosecutors are entitled to direct access—without a Pitchess motion—to a peace officer's personnel records to determine if there is any material subject to disclosure to the defense in a criminal case as required by the United States Supreme Court's decision in *Brady v. Maryland*.

*Brady* requires the prosecution to disclose any material evidence that might assist the defense as to either guilt or penalty, and includes both exonerating evidence and impeachment of a prosecution witness.

The Court of Appeal held that Penal Code section 832.7(a) does not preclude direct prosecutorial access to police officer personnel records for purposes of determining the existence of *Brady* material, as direct prosecution access does not constitute "disclosure" under the statute. Second, the court held that such direct prosecution access does not breach the confidentiality of the personnel records, as the prosecutor's access does not risk public disclosure, which is what Penal Code section 832.7(a) is designed to protect against. If, after reviewing the files, the prosecutor believes *Brady* material is subject to disclosure to the defense, the prosecutor must then file a motion under Evidence Code 1043, et seq.—i.e., initiate the Pitchess process.

If the Appeal Court decision stands, prosecutors may routinely, and without a court order, obtain direct access to, and examine, a peace officer's personnel records for *Brady* purposes. If the prosecutor determines or suspects the existence of *Brady* material, they will still be required to file a Pitchess motion to have that information disclosed to the defense. It appears the new rule would apply to any criminal prosecution in which a peace officer is a material, critical, or important witness.

The decision significantly alters the Pitchess analysis and balancing of interests embodied in the law, as it is hard to see how any court will deny a prosecutor's motion following an unrestricted review that officers have no ability to challenge. How each county district attorney's office will implement this decision is yet to be determined and likely will be subject to policy guidelines in each office.

➤ ***FIRE DEPARTMENT***

- Montclair Fire Department will hold its Annual Open House and Pancake Breakfast at Fire Station 151 on Saturday, October 11 from 8:30 a.m. to 11:30 a.m., Fire Station 151 is located at 8901 Monte Vista Avenue.

The Montclair Fire Fighters Association will host the pancake breakfast for a donation of \$3 per person.

Fire and Police apparatus and fire equipment will be on display, and station tours will be offered. There will be safety information and demonstrations available. Various City and local service organizations will be onsite. Guests may have their pictures taken with Sparky the Fire Dog® (the official mascot of the National Fire Protection Association).

Parking will be available at Montclair Police Department, located across the street from the Fire Department, at 4870 Arrow Highway.

The Open House is held annually to coincide with Fire Prevention Week. The goal of Fire Prevention Week is to stress the importance of fire safety education and to commemorate the Great Chicago Fire of 1871.

Also, this year the Fire Department will be displaying the color "pink" in support of National Breast Cancer Awareness Month.

Open House sponsors are Montclair Hospital Medical Center, Burrtec Waste Industries, Inc., and the Montclair Fire Fighters Association. For additional information, please refer to the flyer on Page 9.

➤ **HUMAN SERVICES DEPARTMENT**

- Please save the following dates for Human Services Department October events. All events are free and open to the public.
  - **Thursday, October 16:** Lights on After-School, 6:30 p.m. to 8 p.m., Community Center. The City's After-School Program will be showcased with representation from all 12 sites.
  - **Friday, October 17:** Youth Talent Showcase, 6 p.m., Community Center. Talented children and teenagers between the ages of 6 and 17 will perform.
  - **Tuesday, October 21:** Montclair Community Health Fair, 9 a.m. to noon, Community Center. The public can take advantage of free health screenings and more than 35 health and community agencies will participate. Complimentary flu shots will be given to City employees from 11:30 a.m. to noon. Flu shots will also be available to Montclair employees at the Montclair Medical Clinic at a later date.
  - **Saturday, October 25:** Montclair Fruit Park's First Anniversary, Sunset Park, 10 a.m. Join us to celebrate the first anniversary of the Fruit Park and dedication of the community bench. Refreshments will be served.
  - **Friday, October 31:** Children's Halloween Party, 5:30 p.m. to 8 p.m., Community Center. Free event for children up to 12 years of age. Includes games, candy, refreshments, and a costume contest.

For additional information on any of these events, please call 909-625-9479.

- The 2014 Candidates' Forum will be held at the Senior Center on Wednesday, October 15 at 7 p.m. Presented by the Montclair Community Action Committee and the Montclair Chamber of Commerce, the Forum will provide a setting for Montclair residents to pose written questions to the candidates regarding civic-related duties. Montclair residents are encouraged to attend.

All candidates running for the two open City Council seats were invited to participate; incumbent Bill Ruh and challengers Josie Garcia, Benjamin Lopez, and Trisha Martinez have confirmed their attendance. There will not be a forum for the mayoral seat because Mayor Paul Eaton is running unopposed.

The Candidates' Forum will be videotaped and broadcast on Montclair Channel 3 on various dates prior to the November 4 Election.

Please direct any questions regarding the Candidates' Forum to Human Services Director Marcia Richter at (909) 625-9453.

## ***POLICE DEPARTMENT***

- Reserve Officers participated in the Special Olympics Bowling Event at the Bowlrium on Saturday, September 27. Over 150 Special Olympics athletes attended with their families. Reserve Captain Ron Foss and Reserve Sergeants Frank Fonseca and Scott Stephenson were proud to present the athletes with awards for their achievements.

Ron, Frank, and Scott have our appreciation for enthusiastically supporting this event year after year!



Reserve Sergeant Scott Stephenson, Reserve Captain Ron Foss, and Reserve Sergeant Frank Fonseca are pictured above with Special Olympics bowlers

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

- Despite the ease and availability of online purchasing, consumers still prefer to have a hands-on experience when it comes to consumer electronic products. According to research from communications agency Citizen Relations, nearly two-thirds (66 percent) of U.S. consumers are conducting online research about products before buying them in a brick-and-mortar retail setting. The reasons for purchasing in-store included: wanting to see and feel the product (61 percent), avoiding online shipping fees (47 percent), and the immediate gratification of having the product in-hand (46 percent).

"People still want that 'touch-and-feel' moment," Erin Georgieff, managing director of the agency's U.S. consumer technology practice, tells *Marketing Daily*. "I think the good news for retailers is there's still that appetite for going into stores."

Although only about a third of consumer electronics consumers are "showrooming" (researching products in-store before heading home to purchase online), a growing trend among consumers is what Georgieff called "mob-aisling," i.e., using a mobile device to comparison shop for better specs and prices in the store. These consumers, the research found, were more likely to get a better deal in-store than even consumers who tried haggling but didn't have the research to back them up.

When it comes to product awareness, news, reviews, and word-of-mouth drives initial awareness, followed by brand advertising. When it comes to additional research, the opinion of family and friends is of primary importance, followed by brand Web sites and expert reviews. Among the top considerations for new tech purchases were: good value for the money (60 percent), having features they need (50 percent), and good reviews and ratings (40 percent).

ECS:spa

*I believe in pink; I believe tomorrow is another day; and I believe in miracles.*

~ Audrey Hepburn

# OCTOBER 2014

6	City Council Meeting Council Chambers	7:00 p.m.
8	State of the City and Taste of Montclair Montclair Community Center	11:30 a.m.
8	Oversight Board Meeting Council Chambers	6:00 p.m.
11	Montclair Fire Department Open House and Pancake Breakfast, 8901 Monte Vista Avenue	8:30 a.m. - 11:30 a.m.
13	Planning Commission Meeting - <b>Canceled</b>	
14	City Manager's Staff Meeting City Hall Conference Room	9:00 a.m.
15	Candidates' Forum Senior Center	7:00 p.m.
16	Lights On After-School Community Center	6:30 p.m. - 8 p.m.
17	Youth Talent Showcase Community Center	6 p.m.
20	Code Enforcement Committee Meeting - <b>Canceled</b>	
20	City Council Workshop – David Turch & Associates Council Chambers	5:45 p.m.
20	City Council Meeting Council Chambers	7:00 p.m.
21	Montclair Community Health Fair Community Center	9 a.m. - Noon
25	Montclair Fruit Park's First Anniversary Sunset Park	10 a.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.
31	Children's Halloween Party Community Center	5:30 p.m. - 8:00 p.m.

# THE MONTCLAIR FIRE DEPARTMENT

Invites You To Our Annual



## OPEN HOUSE & PANCAKE BREAKFAST

**SATURDAY, OCTOBER 11, 2014**

**8:30 A.M. TO 11:30 A.M.**

**8901 MONTE VISTA AVE, MONTCLAIR, CA 91763**

**PARKING AT POLICE STATION (4870 ARROW HWY)**



**You are invited to visit our fire station and meet our staff!**

**Festivities throughout the event will include:**

- ◆ **Pancake Breakfast Hosted by the Montclair Fire Fighters Association - \$3 Donation Per Person**
- ◆ **Station Tours**
- ◆ **Community Organizations**
- ◆ **Free Photos for Children**
- ◆ **Fire Apparatus and Equipment Displays**



**FOR MORE INFORMATION, PLEASE CALL (909) 447-3540**