



**MINUTES**  
**REGULAR CITY COUNCIL**  
**TUESDAY, SEPTEMBER 23, 2008, 7:00 P. M.**  
**COUNCIL CHAMBERS, 245 E. BONITA AVE.**

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**PRESENT:**

Mayor Curtis W. Morris  
Mayor Pro Tem Emmett Badar  
Councilmember Denis Bertone  
Councilmember John Ebiner  
Councilmember Jeff Templeman

City Manager Blaine Michaelis  
City Attorney J. Kenneth Brown  
City Clerk Ina Rios  
Assistant City Manager of Community Development Larry Stevens  
Assistant City Manager Ken Duran  
Director of Public Works Krishna Patel  
Parks and Recreation Director Theresa Bruns  
Planning Manager Craig Hensley

**1. CALL TO ORDER AND FLAG SALUTE**

Mayor Morris called the meeting to order at 7:02 p.m. and led the flag salute.

**2. ANNOUNCEMENTS**

- a. Pui-Ching Ho, Library Manager, San Dimas Library

**Pui-Ching Ho**, Library Manager, San Dimas Library, highlighted the activities available at the Library and said the Annual Book Mark contest entry forms are available at the Library. She said they are looking for adult volunteers to help out in the new English Conversation Practice Program, which will begin January, 2009, and all the information is available on their website at <http://www.colapublib.org/libs/sandimas/>.

Mayor Morris said the Library can also be reached through a link on the City's website at [www.cityofsandimas.com](http://www.cityofsandimas.com).

- 3. ORAL COMMUNICATIONS** (Members of the audience are invited to address the City Council on any item not on the agenda. Under the provisions of the Brown Act, the legislative body is prohibited from taking or engaging in discussion on any item not appearing on the posted agenda. However, your concerns may be referred to staff or set for discussion at a later date. If you desire to address the City Council on an item on this agenda, other than a scheduled public hearing item you may do so at this time or asked to be heard when that agenda item is considered. Comments on public hearing items will be considered when that item is scheduled for discussion. The Public Comment period is limited to 30 minutes. Each speaker shall be limited to three (3) minutes.)

- a. Members of the Audience

- 1) **Ted Powl**, President/CEO, Chamber of Commerce, reminded viewers of the exciting fun-filled Western Days weekend coming up on October 4-5, 2008. For additional information, the Chamber can be reached at (909) 592-3818.

2) **Don Green**, San Dimas Rodeo, invited everyone to the San Dimas Rodeo on October 4-5, 2008. He introduced Bob Hardcastle to address new events at the Rodeo.

3) **Bob Hardcastle** praised the San Dimas volunteers and thanked the City Council for their support. He urged participation at the Kids Korner on Sunday, October 5, at 1:00 p.m. and encouraged attendance at the Cowboy Church with Paster Bob Harris.

4) **Margie Green** invited the community to the San Dimas Festival Wildlife Art Show on October 18-19, 2008. She highlighted some of the exciting activities that include student art, a story teller, and wild animal encounters.

5) **Sid Maksoudian**, Chalet Gourmet, said he declined the Chamber's reconsideration of his membership and said the Sheriffs concluded their investigation of his complaint.

#### 4. CONSENT CALENDAR

(All items on the Consent Calendar are considered to be routine and will be enacted by one motion unless a member of the City Council requests separate discussion.)

It was moved by Mayor Pro Tem Badar, seconded by Councilmember Ebiner, and carried unanimously to accept, approve and act upon the consent calendar, as follows:

a. Resolutions read by title, further reading waived, passage and adoption recommended as follows:

(1) **No. 08-52**, A Resolution of the City Council of the City of San Dimas approving certain demands for the month of September 2008.

b. Approval of minutes for regular meeting of September 9, 2008 and special meeting of September 9, 2008.

END OF CONSENT CALENDAR

#### 5. PUBLIC HEARING

*(The following item has been advertised and/or posted. The meeting will be opened to receive public testimony.)*

a. Consider acquisition for Open Space purposes of 60± acres of property known as the Vista Verde Residential Project.

Assistant City Manager of Community Development Stevens illustrated a Powerpoint presentation of the subject property and summarized an opportunity to participate with the Rivers and Mountains Conservancy and the Watershed Conservation Authority to acquire approximately 60 acres of development property known as Vista Verde Development Project. He said the City will receive 6.91 acres adjacent to Loma Vista for passive and open space uses. Mr. Stevens stated that the City, RMC and WCA will initiate a planning process, including environmental review for the property once the acquisition is complete in October. Staff recommends the City Council approve a budget adjustment of \$1 million for the City's contribution and participation in the acquisition; authorize the City Manager to execute final purchase agreement, conservation easement and related documents.

In response to the City Council, Mr. Stevens explained the community planning process to determine the park and passive uses of the entire property. He indicated there would be neighborhood meetings, environmental analysis, and a master plan for open space uses before any use or development of the property. In the interim, there would be security with lighting and park ranger patrol.

Councilmember Bertone clarified that the Watershed Conservancy Authority is an arm of the Rivers and Mountains Conservancy for the purpose of purchasing property. He said it is the intention of the RMC to put in equestrian trails, hiking trails, and native plants, and the city would have control over where those plants are located.

Mr. Stevens said weed abatement should be completed before the property is acquired, and Waste Management will provide bins for interior debris. He said graffiti abatement is needed and staff will secure the building and obtain estimates for demolition of the buildings.

Mr. Stevens pointed out that as part of the purchase, limited access would be provided through Loma Vista Park to accommodate property uses, but all uses inside are subject to consideration by the City. He added that if the County allows the Tzu Chi annexation to go forward, the County will insist on some kind of Master Plan for the Buddhist property and the Fire Department's access requirements may limit what they intend to do with the property. He mentioned that one call was received from David Dahl expressing concerns about whether or not the driveway is necessary and whether the City is spending an appropriate amount of money for the contribution.

Mayor Morris opened the public hearing and invited public comments in favor of the proposal as outlined by staff and the following persons spoke:

- 1) **Linda Coupas**, Calle Frondosa
- 2) **Ron Ketchum**, Calle Caballero
- 3) **Sheila Nix**, Calle Bandera
- 4) **Mike Mohajer**
- 5) **Brian McNerny**
- 6) **Frank Neal**, Avenida Loma Vista
- 7) **John Bennett**

Mayor Morris invited opponents to address the City Council with their concerns and the following persons spoke expressing concerns about the driveway easement, the traffic, noise, and related concerns:

- 1) **Jean Stevens**, Avenida Loma Vista
- 2) **Joseph Guzman**
- 3) **Pete Torres**
- 4) **Dave Volpe**, Paseo Morelos
- 5) **Elaine Rosetti**, Mesa Rica
- 6) **Natalie Kappa**, Paseo Anacapa,
- 7) **Mrs. Kappa, mother to Natalie Kappa**
- 8) **Ed Corrette**, Paseo Encanto
- 9) Unidentified Man

Assistant City Manager Stevens said none of the existing playground equipment would be altered unless deemed necessary through the community planning process. The current concept is to construct a 20-foot driveway along the east boundary line with no parking allowed; however, a decision will not be reached until the community planning process is concluded.

Mayor Morris stated there is no intention of doing anything other than enhancing the park. He said to acquire this property, the City has to provide access and staff has determined a driveway through the park seems to be the best place.

Mr. Stevens said the property owner was willing to accept the City's offer with the condition that escrow close within 60 days. He added that the number of parking spaces necessary would be determined through the community planning process. Staff will be working with the Sheriff's Department and ultimately, the plan is to have an on-site ranger to address security issues. He defined passive activities such as hiking trails, equestrian trails, ability to view native plants, and native plant growing areas. He indicated all CEQA analysis would be performed as part of the community planning process.

Mr. Stevens stated that the WCA does not intend to light the trails and all parks operate from dawn to dusk. He added that the Calle Bandera gate can be considered; however, the goal is to find a way to minimize impacts on residents and the best way to do that is their involvement in the community planning process.

Mr. Stevens said the two historic building would be evaluated and, if kept, would be rehabilitated. There is a commitment to providing a reasonable buffer between residents and any park improvements made on the property.

Councilmember Bertone said that everything will be done to prevent any type of activity next to homes and the RMC understands a buffer is required.

There being no one else wishing to speak, Mayor Morris closed the public hearing.

Mayor Morris praised Councilmember Bertone for his tremendous effort; and commended Assistant City Manager Larry Stevens.

Councilmember Bertone acknowledged Ann Garcia, Larry's Administrative Analyst and Jane Beasley from the Rivers and Mountains Conservancy. He said if this item is approved, this would be the largest grant given to a city by the RMC.

Mayor Morris felt this was a great project and said staff would take the necessary steps to minimize impacts.

Councilmember Templeman said it is important for neighbors to voice their concerns regarding issues of safety on the access road through the park and encouraged participation at the community planning process.

Councilmember Bertone moved and Councilmember Ebner seconded to approve a budget adjustment in the amount of \$1,000,000 for City contribution to the acquisition; and to authorize the City Manager to execute the final purchase agreement, conservation easement, and related documents.

Councilmember Ebner said he became a Councilmember to prevent development on Walnut Creek and felt the project is worth spending \$1million.

The motion carried unanimously.

## **6. OTHER BUSINESS**

- a. Consider taking a position on the Bonita Unified School District Bond proposal on the November 2008 ballot.

City Manager Michaelis said this item is placed on the agenda to inquire if the City Council would consider a statement of support for Measure AB. He introduced Gary Rapkin, Superintendent, Bonita Unified School District.

**1) Gary Rapkin**, Superintendent, Bonita Unified School District, requested voter support in November for Measure AB, a bond to complete various construction projects as part of the School District's Master Facility Plan. He introduced Members of the Board Jim Elliott and Diane Koach.

**2) Jim Elliott**, BUSD Board Member, thanked the City Council for considering Measure AB and encouraged everyone to come out on November 4 to support Measure AB to allow the District to continue work started in 2004. He said Ann Sparks is available to answer questions and additional information is available on their website at [www.bonitakids2008.com](http://www.bonitakids2008.com).

3) **Diane Koach**, BUSD Board Member, appreciates the teamwork between the City and the District and hopes the City Council considers supporting Measure AB so they can move ahead with these projects to increase the desirability of the community.

Mayor Morris invited Ann Sparks to comment.

4) **Ann Sparks**, Assistant Superintendent, BUSD, provided financial information on the average assessed value of the bond measures and asked the City Council for their support.

Mayor Morris felt this matter was very important to our community and property values. He moved to let the City support this bond issue. The motion was seconded by Mayor Pro Tem Badar and carried unanimously.

- b. Consider adopting Amended Standardized Conflict of Interest Code for Designated Employees

**RESOLUTION NO. 08-53, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN DIMAS ADOPTING A STANDARDIZED CONFLICT OF INTEREST CODE FOR DESIGNATED EMPLOYEES.**

City Manager Michaelis reported that every two years the City is required to review how the Conflict of Interest Code is applied for city officials, employees, and those that provide city services. He added that after a review of the code, it was determined that an amendment is required to include new positions that must be designated and revise the titles of existing positions. Staff recommended adoption of Resolution No. 08-53.

After the title was read, it was moved by Councilmember Bertone, seconded by Mayor Pro Tem Badar, to waive further reading and adopt **RESOLUTION NO. 08-53, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN DIMAS ADOPTING A STANDARDIZED CONFLICT OF INTEREST CODE FOR DESIGNATED EMPLOYEES.** The motion carried unanimously.

- c. Consider request from "Care for the Children" to paint Citywide Curb addresses and contribute a portion of the net proceeds to San Dimas Senior Club.

Public Works Director Patel reported that the ability to see curb addresses from the street is an important part of public safety and public convenience. He said many of the city's curb addresses are beginning to fade since the last curb address painting project in 2004, and Care for the Children is requesting City consideration to allow them to paint residential and commercial curb addresses city-wide at no cost to the City. Residents will be requested to voluntarily donate \$15.00 after the work has been completed and C4C has committed to donate 25% of the net proceeds or a guaranteed \$3,000 to a local charity. Staff recommends allowing C4C to paint the curb address numbers citywide pursuant to understanding as stated by staff.

Mayor Morris inquired if residents were required to pay and if they did not pay, would the organization paint the curb.

**Robert Henderson**, Director, Care for the Children, assured the City Council that all curbs would be painted whether or not donations were made. He provided a brief background on his organization and responded to Council's questions concerning the fundraiser and the commitment to donate funds to a charity in the City.

It was moved by Councilmember Templeman, seconded by Councilmember Bertone, to authorize Care for the Children to paint citywide curb addresses and contribute a portion of the net proceeds to San Dimas Senior Club.

The motion carried 4.1; Councilmember Ebner opposed stating he thought that a few residents would feel obligated to pay.

## RECESS

Mayor Morris recessed the meeting at 9:46 p.m. and reconvened at 9:54 p.m.

- d. Approve Jackie Bristow Memorial 5K and 1 mile running road race on January 3, 2009. Restricted closure of certain streets within the downtown area on Saturday, January 3, 2009 from 6:30 a.m. to 11:00 a.m.

Director of Public Works Patel presented a request by St Lucy's High School Cross-Country Team and the National Eating Disorder Association to hold their Jackie Bristow Memorial 5K and 1-Mile Running Road Race and their Munchkin Mile Race through certain city streets on January 3, 2009 between 6:30 a.m. to 11:00 a.m.. Director Patel summarized the advantages and disadvantages of restricting street closures for the two races. Staff recommended that the City Council consider the Traffic Safety Committee's recommendations and the request of St. Lucy's cross-country team and NEDA for consideration and approval of partial and full closures of certain streets to allow for the First Annual Jackie Bristow Memorial 5K subject to conditions as stated.

Councilmember Ebner stated that Annie Ebner, the Coach at St. Lucy's, is his sister and he would refrain from participating in conversation regarding this issue.

**Annie Ebner** and **Tony Reyes**, Coaches, St. Lucy's High School, asked for City support on this event to honor former student athlete Jackie Bristow and to bring awareness of eating disorders affecting so many young men and women.

It was moved by Councilmember Bertone, seconded by Mayor Pro Tem Badar, to approve Traffic Safety Committee's and staff's recommendation to allow for the First Annual Jackie Bristow Memorial 5K to be held on Saturday, January 3, 2009, subject to conditions as presented by staff in Exhibit C; and to approve the signal lights at Bonita Avenue/Iglesia Street to be set at flashing red to allow for safer and controlled traffic flow on the day of the race. The motion carried 4.1; Councilmember Ebner abstained.

- e. Cash Contract No. 2008-08, Bonita Avenue Hardscape, Traffic Signal, and Street lighting improvements et al project:
  - 1) Appropriation of an additional \$75,000 from the General Fund to bring the total project budget to \$405,000.
  - 2) Award of Cash Contract to California Professional Engineering, Inc. for a total contract amount of \$233,598.70.

Public Works Director Patel said sealed bids were received and publicly opened on September 16, 2008 for Cash Contract 2008-08, Bonita Avenue Hardscape, Traffic Signal and Street Lighting Improvements. He stated that the construction cost is a portion of the overall project budget which must also incorporate costs of engineering, survey compaction testing, contingency funds, and the alternative bid item of constructing colored stamp concrete resembling wood planting. Staff recommended appropriation of an additional \$75,000 from the General Fund to bring the total project budget to \$405,000; and award of Cash Contract 2008-08 to California Professional Engineering, Inc. for the total contract amount of \$277,782.78.

It was moved by Mayor Pro Tem Badar, seconded by Councilmember Templeman, to approve staff's recommendation to appropriate \$75,000 from the General Fund to bring the total project budget to

\$405,000; and award Cash Contract 2008-08, in the amount of \$277,782.78, to California Professional Engineering, Inc.. The motion carried 5.0.

## 7. SAN DIMAS REDEVELOPMENT AGENCY

Mayor Morris recessed the regular meeting at 10:05 p.m. and convened a meeting of the San Dimas Redevelopment Agency Board of Directors. The regular meeting was reconvened at 10:10 p.m.

## 8. ORAL COMMUNICATIONS

- a. Members of the Audience (Speakers are limited to five (5) minutes or as may be determined by the Chair.)

1) **Sid Maksoudian** addressed the City Council regarding personal issues.

- b. City Manager

- 1) Dates for Fall Retreat Session - City Council and Staff. Proposed dates are all Mondays, 3:00-7:00 p.m.
  - November 17, 2008
  - November 24, 2008

It was the consensus of the City Council to schedule the Fall Retreat Session on:

- Saturday, November 15, 2008, between 8:00 a.m.-2:00 p.m.

- c. City Attorney

There were no comments.

- d. Members of the City Council

- 1) Councilmembers' report on meetings attended at the expense of the local agency.

Councilmember Templeman said he attended a Mosquito and Vector Control Board Meeting at no expense to the Agency. He said it is important to manage mosquito control and appreciates all information on the website.

- 2) Individual Members' comments and updates.

1) Councilmember Ebner announced the City's 5K race and 1 mile fun run on Saturday, September 27, 2008. He said the application can be found on the City's website or at city hall.

2) Mayor Pro Tem Badar stated he would be attending the League of California Cities conference to vote on behalf of the City. He extended an invitation to attend the San Dimas High School Football Game on Friday, September 26, 2008, at which time two teachers would be inducted into the Women's Intercollegiate Tennis Hall of Fame and CIF Coaches Hall of Fame.

3) Councilmember Bertone thanked the City Council for their support of Walnut Creek.

4) Councilmember Templeman suggested monthly updates on the city hall remodel.

- 3) Consider position to oppose 1/2 cent sales tax proposed by the Metropolitan Transportation Agency on the November 2008 ballot.

City Councilmember Bertone said the San Gabriel Valley Council of Governments and Los Angeles County Supervisor Antonovich are asking cities to take a stand to oppose MTA's proposed additional 1/2 cent sales tax measure for transportation purposes. He said concerns have been expressed that San Gabriel Valley cities are not getting their fair share for transit projects.

City Manager Michaelis said this measure would be on the ballot only if the Governor approves the state budget and signs the bills.

It was moved by Councilmember Bertone, seconded by Mayor Pro Tem Badar, to oppose the 1/2 cent sales tax proposed by the Metropolitan Transportation Agency for the November 2008 ballot.

The motion carried 4.1; Councilmember Ebner opposed the motion.

## **9. ADJOURNMENT**

Mayor Morris adjourned the meeting at 10:32 p.m. The next meeting is on October 14, 2008, 7:00 p.m.

Respectfully submitted,

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Ina Rios, CMC, City Clerk