



**MINUTES**  
**REGULAR CITY COUNCIL**  
**TUESDAY, MAY 11, 2004, 7:00 P. M.**  
**COUNCIL CHAMBERS, 245 E. BONITA AVE.**

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**PRESENT:**

Mayor Curtis W. Morris  
Mayor Pro Tem John Ebiner  
Councilmember Denis Bertone  
Councilmember Sandy McHenry  
Councilmember Jeff Templeman

City Manager Michaelis  
City Clerk Rios  
Assistant City Attorney Steres  
Assistant City Manager Duran  
Community Development Director Stevens  
Public Works Director Patel  
Parks and Recreation Director Duff

**CALL TO ORDER**

Mayor Morris called the meeting to order at 7:08 p.m.

**RECOGNITIONS**

- Proclaim May 9-15, 2004 as National Public Works Week

Mayor Morris recognized services provided by Public Works and presented to staff a proclamation declaring May 9-15, 2004 as National Public Works Week. He invited the public to the Inaugural Open House at the Maintenance Yard on Saturday, May 15, 2004, from 10:00 a.m. to 2:00 p.m.

Public Works Director Patel thanked the Council for proclaiming National Public Works Week. He said this is the 44<sup>th</sup> year event celebrated nationwide. He indicated this is the perfect opportunity to interact with Public Works staff who serve the needs of the community on a daily basis. He advised that Engineering, Building and Safety, and Maintenance Yard crews would serve refreshments, have demonstrations, judge contests and award prizes.

**ORAL COMMUNICATIONS**

- a. Members of the Audience

1) **Randy Argo**, 1198 Dike Road, AZ, distributed a 31 page packet and addressed the City Council regarding a handout for Way Hill; property on First Street; and unfairness and maltreatment issues. He had hoped Mayor Morris had not abstained from discussions related to Way Hill.

Councilmember Templeman suggested that staff could meet with Mr. Argo to discuss and clarify issues mentioned.

Mayor Morris indicated that a report regarding Way Hill could be placed on the next agenda; though he was unable to participate in discussions because he owns property within the vicinity. However, he could join in discussions on the First Street property if it is brought as a separate matter.

Community Development Director Stevens indicated he had not seen documents and records on the First Street property. He understood that Mr. Argo's representative, Mr. Norman was instructed to submit a comprehensive letter with documents to support their position and Mr. Stevens could determine what process could be applied, based on receipt and review of those documents. He said once this information is received, he would provide a timely response.

Director Stevens said he would like the opportunity to review the informational handout on Way Hill to determine whether or not it accurately states the Council's decision on how the specific plan standards should be applied to this particular parcel, or if it should be changed. He could then provide a report to the City Council at their next meeting.

Mayor Morris suggested it would be helpful if Mr. Argo submitted a brief, factual summary of his concerns to the City Council. He said it is clear that Councilmembers are very concerned about allegations that the law was violated.

#### **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 or audience requests separate discussion.)

It was moved by Councilmember Bertone, seconded by Councilmember McHenry, to accept, approve, or act on the Consent Calendar items, as presented, as follows:

- a. Resolutions read by title, further reading waived, passage and adoption recommended as follows:
  - (1) RESOLUTION NO. 04-17 – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN DIMAS APPROVING CERTAIN DEMANDS FOR THE MONTH OF MAY, 2004.
  - (2) RESOLUTION NO. 04-18 – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN DIMAS AUTHORIZING THE CITY TO SUBMIT A GRANT APPLICATION FOR THE 2004-05 USED OIL RECYCLING BLOCK GRANT.
  - (3) RESOLUTION NO. 04-19 – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN DIMAS APPROVING CITY-COUNTY LAW ENFORCEMENT SERVICES AGREEMENT
- b. Approval of minutes for meetings of April 13, 19, and 27, 2004.

The motion carried unanimously.

END OF CONSENT CALENDAR

#### **5. PUBLIC HEARING**

- a. 2004-05 Annual City Budget
  - 1) Presentation of preliminary budget highlights

City Manager Michaelis presented a narrative and summary of the 2004-05 budget proposals and highlights. He provided a conservative estimate of anticipated revenues and expenditures to permit the City to handle financial losses to the state, as well as other costs that may arise, and still meet increasing service needs. He proposed to hire temporary assistance and technology to supplement efforts underway. Plans are to adopt the budget on June 8, 2004 and move forward with the spending plan.

Councilmember Bertone said many cities in the area have deficits. The City Council owes a debt to the City Manager and staff to have a balanced budget with \$9 million in reserves.

In response to Mayor Pro Tem Ebner, City Manager Michaelis said the draft budget is available by calling city hall at 909/394-6200, and summaries from each department are available on the webpage.

## 2) Question and Answer Period/General Discussion

Mayor Morris opened the public hearing and asked if anyone wished to ask questions or make comments on the proposed 2004-05 budget and the following person spoke:

1) **Steve Lindemann**, Chairman of the Board, Chamber of Commerce, joined by Ted Powl, CEO/President, thanked the City Council and City of San Dimas for their continued support. He requested \$45,000 this year to sustain and expand business and community programs.

### b. Other Items of Community Interest

#### 1) Receive Annual Report and request for funding from the San Dimas Chamber of Commerce

**Ted Powl**, President, CEO, Chamber of Commerce, reviewed highlights of the Chamber's accomplishments throughout the fiscal year, presented an annual report of activities, explained the purpose and schedule of the Civic Academy, and introduced **Celia Lopez**, student intern from a business school in France operated by a local Chamber of Commerce, who is here to learn how American Chambers of Commerce operate.

Mayor Pro Tem Ebner left the dais at 8:23 p.m. and returned at 8:25 p.m.

2) **Gary**, Loma Vista, inquired if the annual \$25,000-\$50,000 was included in the 2004-05 budget to enforce overnight parking. He asked why enforcement takes place only five days instead of seven.

City Manager Michaelis replied that the parking enforcement program is included in the budget and began a week ago. Sheriff Deputies enforce overnight parking seven days per week in addition to their regular patrol. Parking enforcement officers provide a higher level of enforcement five days per week allowing deputies to perform other duties.

There being no one else wishing to speak on this issue, Mayor Morris closed the public hearing and said the budget will be submitted for adoption on June 8, 2004 and comments will be accepted until final submission to the City Council by the City Manager.

## **SAN DIMAS REDEVELOPMENT AGENCY**

Mayor Morris adjourned the regular City Council meeting at 8:34 p.m. and convened a meeting of the San Dimas Redevelopment Agency Board of Directors. The meeting reconvened at 8:35 p.m.

## ORAL COMMUNICATIONS

### a. Members of the Audience

There was no public comment.

### b. City Manager

1) City Manager Michaelis reported that the League of California Cities General Assembly of the League is holding a special meeting on Thursday, May 13, 2004, in Sacramento, to consider Governor Schwarzenegger's proposal to work with cities' continued contributions for two years in trade for the governor's support in legislative action to protect local government revenue. Manager Michaelis plans to participate in the meeting on behalf of the City and requested this item be placed on the agenda to authorize his appointment as voting delegate.

It was moved by Councilmember Bertone, to add this as an urgency item on the agenda as this issue came up this afternoon and the special meeting takes place Thursday, May 13, 2004. The motion was seconded by Councilmember McHenry and carried unanimously.

It was moved by Councilmember Bertone, seconded by Councilmember McHenry, to designate the City Manager as the voting delegate and authorize his attendance at the League of California Cities special meeting on Thursday, May 13, 2004.

At the request of Mayor Pro Tem Ebiner, City Manager Michaelis explained that cities qualified an initiative on the November ballot that would strengthen constitutional protections for local revenues and end state raids on local funds. Governor Schwarzenegger sympathized, however, he expressed a need for \$1.3 billion statewide for an additional two years and in exchange, he would support legislative and voter passage of an alternative constitutional measure that would provide similar or better protection of local revenues. Manager Michaelis indicated that without the Governor's support, it would be difficult to get the initiative passed by voter approval versus seeing if the governor could deliver on his promise.

The motion carried unanimously.

### c. City Attorney

No report.

### d. Members of the City Council

1) Mayor Morris requested the addition to the agenda of appointments to the Public Safety Commission and said interviews had not been scheduled when the agenda was prepared. Applicants were interviewed on Monday, May 10, 2004, and the next Public Safety Commission meeting will be held on May 18, 2004 before the next City Council meeting.

It was moved by Councilmember Bertone, seconded by Mayor Pro Tem Ebiner, to add appointments to the Public Safety Commission as an urgency item to the agenda as this item arose after the agenda was prepared and their next meeting will be held prior to the next City Council meeting. The motion carried unanimously.

### 2) Appointments to the Public Safety Commission

Councilmember McHenry reported that four outstanding candidates were interviewed. He moved to appoint to the Public Safety Commission two very impressive candidates: Elizabeth Gould, very active in the high school Boosters, and Francis Arocha, a Lieutenant in South Gate Police Department. The motion was seconded by Councilmember Bertone and carried unanimously.

**CLOSED SESSION**

**At 8:47 p.m., the City Council recessed to a City/Redevelopment Agency closed session pursuant to Government Code Section 54956.8:**

- a. Property: 506 North Lone Hill Ave., San Dimas  
Negotiating Parties:  
For Agency: Blaine Michaelis, City Manager/Executive Director, and J. Kenneth Brown, City/Agency Attorney.  
For Property: Ramon & Rafael Nuno  
Under Negotiation: Possible purchase of property and terms and conditions of City/Agency possible participation.

No reportable action.

**b. CONFERENCE WITH LEGAL COUNSEL – PENDING LITIGATION  
(SUBDIVISION (a) OF GOVERNMENT CODE SECTION 54956.9)**

Name of Case: Bradley and Rebecca Secreto v. City of San Dimas, LASC Case No. BC298567

No reportable action.

**c. CONFERENCE WITH LABOR NEGOTIATOR (G. C. Section 54957.6)**

The City Council will meet with City Manager Blaine Michaelis to discuss FY 2004-05 budget issues as they relate to City of San Dimas employees.

No reportable action.

**ADJOURNMENT**

Mayor Morris adjourned the regular meeting at 10:10 p.m. The next meeting is May 25, 2004, 7:00 p.m.

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Mayor of the City of San Dimas

ATTEST:

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City Clerk