



**AGENDA**  
**REGULAR CITY COUNCIL /**  
**REDEVELOPMENT AGENCY MEETING**  
**TUESDAY, OCTOBER 14, 2008, 7:00 P. M.**  
**COUNCIL CHAMBERS, 245 E. BONITA AVE.**

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**CITY COUNCIL:**

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

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

**2. RECOGNITIONS**

- Proclaim October 2008 as Fire Prevention Month.

**3. PRESENTATIONS**

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

**4. 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

**5. 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.)

- a. Resolutions read by title, further reading waived, passage and adoption recommended as follows:
  - (1) **Resolution No. 08-54**, A Resolution of the City Council of the City of San Dimas Approving certain demands for the months of September and October, 2008.
  - (2) **Resolution No. 08-55**, A Resolution of the City Council of the City of San Dimas Calling and giving notice of the holding of a general municipal election to be held on Tuesday, March 3, 2009, for the election of certain officers as required by the provisions of the laws of the State of California relating to general law cities.
  - (3) **Resolution No. 08-56**, A Resolution of the City Council of the City of San Dimas Requesting the Board of Supervisors of the County of Los Angeles to render specified services to the City relating to the conduct of a General Municipal Election to be held on Tuesday, March 3, 2009.

- (4) **Resolution No. 08-57**, A Resolution of the City Council of the City of San Dimas, County of Los Angeles, State of California, adopting regulations for candidates for elective office pertaining to candidate statements submitted to the voters at an election to be held on Tuesday, March 3, 2009.
- b. Approval of minutes for September 23, 2008 regular City Council meeting, September 23, 2008 Special City Council meeting, and amended minutes of the September 9, 2008 regular City Council meeting.
- c. Approving establishment of a reimbursement district with 301 San Dimas Avenue LLC for San Dimas Avenue street improvements and the dedication of right-of-way on the vacant properties located at 301 South San Dimas Avenue on the southwest corner of San Dimas Avenue and Commercial Street. (APNs: 8390-019-036, 037)
- d. Tax Sharing Resolutions approving and accepting negotiated exchange of property tax revenues resulting from annexation to County Sanitation District No. 22 (Annexation No. 399) on Foothill Boulevard between Walnut Avenue and Dixie Drive.
- e. Proclaim October 25, 2008 "Make a Difference Day."

END OF CONSENT CALENDAR

## 6. PUBLIC HEARING

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

- a. Cable Television Public Access Fee and Customer Service Penalties - Request to consider amending the San Dimas Municipal Code to establish a Public, Education and Government Channel (PEG) Fee and customer service penalties for State Franchise holders providing video service within the City of San Dimas.

**ORDINANCE NO. 1183**, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN DIMAS ADDING SECTION 5.60.380 TO THE SAN DIMAS MUNICIPAL CODE ESTABLISHING FRANCHISE AND PEG FEES AND CUSTOMER SERVICE PENALTIES FOR STATE FRANCHISE HOLDERS PROVIDING VIDEO SERVICE WITHIN THE CITY OF SAN DIMAS.

## 7. OTHER MATTERS

- a. Appeal of Traffic Safety Committee's recommendation to restrict parking on Hoover Court.
- b. Consider approval of San Dimas High School Homecoming Parade 2008 - full closure of Bonita Avenue and certain streets within the Downtown area on Friday, November 14, 2008 from 1:00 p.m. to 4:00 p.m.
- c. Revision to the Gladstone School parking lot pickup and drop off and parking. Discussion and direction regarding city participation.

## 8. SAN DIMAS REDEVELOPMENT AGENCY

- a. Oral Communications (*This is the time set aside for members of the audience to address the Board. Speakers are limited to three minutes.*)
- b. Approval of minutes for September 23, 2008 meeting.
- c. Executive Director
- d. Members of the Agency

## 9. ORAL COMMUNICATIONS

- a. Members of the Audience (*Speakers are limited to five (5) minutes or as may be determined by the Chair.*)
- b. City Manager
- c. City Attorney
- d. Members of the City Council
  - 1) Councilmembers' report on meetings attended at the expense of the local agency.
  - 2) Individual Members' comments and updates.
  - 3) Provide direction regarding a city ordinance relating to residency restrictions for registered sex offenders.

## 10. CLOSED SESSION

Recess to a City/Redevelopment Agency closed session pursuant to Government Code:

- a. **CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION (PURSUANT TO SUBDIVISION (b)(1) of GOVERNMENT CODE SECTION. 54956.9)**  
**A point has been reached where, on the advice of legal counsel, based on existing facts and circumstances, there is a significant exposure to litigation against the City.**

- (1) The Watershed Conservation Authority ("WCA") is in escrow to acquire approximately 61 acres of property in the unincorporated county area west of the 57 Freeway and adjacent to the 89 acres of property which is owned by the Taiwan Buddhist Tzu Chi Foundation, N.S.A. (the "Tzu Chi Foundation") which is located at 1100 South Valley Center Avenue in the unincorporated county area. The City is in escrow to acquire from the WCA approximately 6.91 acres of property in exchange for the payment of \$1 million. A public hearing was conducted by the City Council at its meeting on September 23rd to consider and approve this proposed acquisition. Since that time the Tzu Chi Foundation, through its attorney, has raised various legal issues challenging the proposed acquisition by WCA and the City.
- (2) Karen and Anthony Price have applied for a permit to install a solar system at their residence which is located at 485 Puddingstone Drive, in the city of San Dimas. This matter was reviewed by the City's Development Plan Review Board (DPRB Case No. 08-40). The DPRB did not approve the application but continued the matter and directed that a policy be developed regarding the installation of a solar energy facility. The applicant has challenged the legal authority of the City to deny the application.

**b. CONFERENCE WITH REAL PROPERTY NEGOTIATOR - G.C. 54956.8**

Property: A portion of the property in the Northern Foothills consisting of approximately 278 acres within Specific Plan 25.  
APN: 8665-001-001; 866-001-002; 8665-001-003; 8665-001-004; 8665-001-005; 8665-001-009; 8655-003-001; 8678-030-032; 8678-030-033;

Negotiating Parties:

For City: Blaine Michaelis, City Manager, Larry Stevens, Assistant City Manager Development Services, and J. Kenneth Brown, City Attorney.

For Property: Kim Scott/NJD

Under Negotiation: Possible open space acquisition of property and terms and conditions of possible City participation.

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

Name of Case: Dennis Phillips v. City of San Dimas, LASC Case No. BS089159

Request for Indemnification: Former Employee Joseph Vacca

**d. CONFERENCE WITH LABOR NEGOTIATOR – G.C. Section 54957.6**

City Representative: Blaine Michaelis, City Manager

Employee Group: San Dimas Employees' Association

**e.** Report on closed session items.

**11. ADJOURNMENT**

The next meeting is on October 28, 2008, 6:00 p.m. for a study session on the City Hall Expansion Project.

**AGENDA STAFF REPORTS:** COPIES OF STAFF REPORTS AND/OR OTHER WRITTEN DOCUMENTATION PERTAINING TO THE ITEMS ON THE AGENDA ARE ON FILE IN THE OFFICE OF THE CITY CLERK AND ARE AVAILABLE FOR PUBLIC INSPECTION DURING THE HOURS OF 8:00 A.M. TO 5:00 P.M. MONDAY THROUGH FRIDAY. INFORMATION MAY BE OBTAINED BY CALLING (909) 394-6216. CITY COUNCIL MINUTES AND AGENDAS ARE ALSO AVAILABLE ON THE CITY'S HOME PAGE ON THE INTERNET:  
<http://www.cityofsandimas.com>

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