



**AGENDA**  
**REGULAR CITY COUNCIL /**  
**REDEVELOPMENT AGENCY MEETING**  
**TUESDAY, OCTOBER 28, 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. PRESENTATIONS**

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

**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

**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 or audience requests separate discussion.)

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

- (1) **Resolution No. 08-58**, A Resolution of the City Council of the City of San Dimas, California, approving certain demands for the month of October, 2008.
- (2) **Resolution No. 08-59**, A Resolution of the City Council of the City of San Dimas, California, setting the public Access Fee for Fiscal Year 2008-2009 to be used for PEG purposes.
- (3) Consider amendment to Section 2 of Resolution 08-45 to provide for an increase in the City's Optional Benefit Plan.  
**Resolution No. 08-60**, A Resolution of the City Council of the City of San Dimas, California, adopting and extending the pay plan and reimbursement schedule for City employees.

- b. Ordinances read by title, further reading waived, passage and adoption recommended as follows:

- (1) **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. **SECOND READING AND ADOPTION**

- c. Approval of minutes for regular City Council meeting of October 14, 2008.

- d. Approval of change order to Cash Contract 2008-07 San Dimas Avenue Grove Station in the amount of \$21,058.00 for constructing improvements on First Street at San Dimas Avenue.
- e. Reject claim for damages from Dolores Amarillas.

END OF CONSENT CALENDAR

## 5. 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 October 14, 2008 meeting.
- c. Executive Director
  - 1) Walker House renovation project update.
- d. Members of the Agency

## 6. 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.

## 7. 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.**

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. The Tzu Chi Foundation, through its attorney, has raised various legal issues challenging the proposed acquisition by WCA and the City. Meetings have been held between representatives of the City, Tzu Chi, and WCA which resulted in a proposed Memorandum of Understanding between the parties to cooperate going forward with planning of the entire 150 acres. This proposed Memorandum of Understanding will be discussed with the City Council.

- b. Report on closed session.

## 8. ADJOURNMENT

The meeting will adjourn in memory of Janice Hawes, Senior Accounting Technician. The next meeting will be Wednesday, November 12, 2008, at 7:00 p.m.

**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>

**SUPPLEMENTAL REPORTS:** AGENDA RELATED WRITINGS OR DOCUMENTS PROVIDED TO A MAJORITY OF THE SUBJECT BODY AFTER DISTRIBUTION OF THE AGENDA PACKET SHALL BE MADE AVAILABLE FOR PUBLIC INSPECTION AT THE CITY CLERK'S OFFICE AT 245 EAST BONITA AVENUE DURING NORMAL BUSINESS HOURS. [PRIVILEGED AND CONFIDENTIAL DOCUMENTS EXEMPTED]

**HEARING ASSISTANCE:** THE CITY OF SAN DIMAS CITY COUNCIL CHAMBERS IS EQUIPPED WITH A HEARING ASSISTANCE SYSTEM. PLEASE CONTACT THE CITY CLERK (909) 394-6216 TO CHECK OUT A RECEIVER.

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