



MINUTES
REGULAR CITY COUNCIL
TUESDAY, JULY 14, 2009, 7:00 P. M.
COUNCIL CHAMBERS, 245 E. BONITA AVE.

CITY COUNCIL:

Mayor Curtis W. Morris
Mayor Pro Tem Denis Bertone
Councilmember Emmett Badar
Councilmember John Ebner
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 Development Services Dan Coleman
Director of Public Works Krishna Patel
Director of Parks and Recreation Theresa Bruns

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. RECOGNITION

- ❖ Recognize San Dimas High School CIF Championship Athletes

Mayor Morris congratulated and presented Certificates to San Dimas High School 2009 CIF Championship Athletes: Track Team Finalists Shannon McKee, Erika Kalmar, Katherine Salcido, and Taylor Jackson; Parents for Swim Team Finalists Cody Moore, Scott Jones, Henry Shieh, Michael Wells, Meganne Avery, Danielle Hebert, Jamie Engle, Sabrina Santos and Carolena Garnica; Softball Team Finalists Karissa Conner, Aleena Avalos, Victoria Quintana, Ariel Shore, Kortnie Clark, Brianna Munoz, Courtney Hine, Julia Lupercio, Shelby Dopps, Sara Moore, Gipsy Ramirez, Ashley Vinsonhaler, Kayla Norrie, Candice Nunez and Yumiko Hiroto; Baseball Team Finalists Brandon May, Thomas Jenson, Joel Celaya, George Holland, Tim Brookes, Greg Aldrete, Brent Slover, Derek Penilla, Aaron Orona, Matt Thrall, Chris Bishop, Scott Lambert, Chris Martin, Eddie Miles, Juston Winrow, Sean Kennedy, Kevin Ponzo, Josh Leyland, Matt Lee, and Erik Salcido.

Director Bruns thanked the Softball Coaches and Baseball Coaches for taking their teams to the championships.

- ❖ Proclaim July as Parks and Recreation Month

A Proclamation designating July as Parks and Recreation Month was read and presented by Mayor Morris to Parks and Recreation Director Theresa Bruns. He congratulated Ms. Bruns and her staff and said they all do an outstanding job.

On behalf of Parks and Recreation, Director Bruns thanked the Council for their support. She provided a slide presentation showing the tangible experience that residents of all ages have enjoyed through the Parks and Recreation activities. Director Bruns introduced her hardworking staff: Managers Leon Raya, Karon DeLeon and Mark Rheude; Recreation Coordinators Tanya Orr and Latoya Ward, Erica Rodriguez, and Katy Gautchi; Administrative Secretary Karen Dudics, and special summer Intern Juliette Pautet.

3. PRESENTATIONS

- Pui-Ching Ho, Librarian, San Dimas Library

Pui-Ching Ho, Library Manager, San Dimas Library, highlighted great programs and activities at the Library, including the Summer Reading program; Dances from many cultures; Writing Workshop; Duct Tape Workshop; Ken Frawley's KCCO Mystery Radio Show; Musical Barnyard Extravaganza and Petting Zoo; and Phil Van Tee, Tallest Cowboy Magic, Music and Comedy Show. She thanked the City for use of the facilities.

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

1) **Ted Powl**, CEO/President, Chamber of Commerce, invited the community to the City's 49th Birthday BBQ celebration on Friday, August 7, 2009. He said the best barbecue and sides will be served at 5:30 p.m. and there will be entertainment and free activities for kids including pony rides and bounces. He thanked the City's Parks and Recreation Department for providing the games, relays, and prizes. Roundtrip trolleys will be available for senior citizens. Advance tickets for Dinner are \$5 for adults; \$4 for seniors and \$3 for children 12 and under. Three years and under are free. The Chamber can be contacted for additional information.

2) **Margie Green**, representing the Festival of Arts, announced a new, free cultural event in the Second Story Gallery of the Walker House, to be held on the second and third weekends from 5:00 p.m. to 9:00 p.m. She said this month features four plein air artists Charles Fogg, Richard Meyer, Mike Johnson, and Anton Ruf.

Ms. Green outlined the calendar as follows: August - Mountain Meadows Photography from the Riverside area; September - B.J. Lang from Pasadena; October - student art and the San Dimas Artist Wildlife Art Show; and November - local artist Ken Sheffer.

3) **Chuck McCants** invited the equestrian community to participate in the inaugural Ride for Life on August 1, 2009, from 9:00 a.m. to 7:00 p.m., at Pomona Fairplex, Gate 12, off White Avenue. There will be five riders per team. For more information, contact Robert Hardcastle at bobne911@earthlink.net or 626/378-7759, or Kevin frey, goodusernmetaken@hotmail.com. or check www.relayforlife.Org/sandimasca

Margie Green urged members of the public to support and cheer for each team.

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.)

City Manager Michaelis commented that item 5a(3) is a request for additional grant funds available from the Environmental Protection Agency that could also help us toward costs associated with the preparation of the city's energy plan.

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

- a. Resolutions read by title, further reading waived, passage and adoption recommended as follows:
 - (1) **RESOLUTION NO. 09-32**, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN DIMAS APPROVING CERTAIN DEMANDS FOR THE MONTHS OF JUNE AND JULY 2009.
 - (2) **RESOLUTION NO. 09-33**, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN DIMAS AUTHORIZING THE EXECUTION OF THE PROGRAM SUPPLEMENT AGREEMENT BETWEEN THE STATE OF CALIFORNIA, DEPARTMENT OF TRANSPORTATION, AND THE CITY OF SAN DIMAS COVERING THE APPROVED AMERICAN RECOVERY REINVESTMENT ACT FOR SAN DIMAS AVENUE PROJECT FUNDS.
 - (3) **RESOLUTION NO. 09-34**, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN DIMAS APPROVING THE APPLICATION SUBMITTAL FOR GRANT FUNDS FROM THE ENVIRONMENTAL PROTECTION AGENCY (EPA) - CLIMATE PROTECTION PARTNERSHIPS DIVISION FOR THE CLIMATE SHOWCASE COMMUNITIES GRANT PROGRAM.
- b. Approval of minutes for regular City Council meeting of June 23, 2009 and Special City Council meeting of June 23, 2009.
- c. Cash Contract No. 2009-09, Fifth Street Overlay and Reconstruction Project:
 - 1) Appropriation of Additional Funds in the amount of \$20,000.00 from the Infrastructure Fund.
 - 2) Award of Cash Contract 2009-09, Fifth Street overlay and reconstruction, to Gentry Brothers, Inc. for the bid amount of \$228,550.75.

END OF CONSENT CALENDAR

6. OTHER MATTERS

- a. Receive a Proposal and Presentation from "Five Cities Marathon" to conduct a 4 mile portion of a marathon on San Dimas streets on Sunday, April 18, 2010.

Parks and Recreation Director Bruns reported that Five Cities Marathon organization is requesting City Council approval to conduct an approximate four-mile portion of a marathon on San Dimas streets on Sunday, April 18, 2010, at no cost to the City. The Streets included in the proposed route include: Bonita Avenue, San Dimas Avenue, Gladstone Street, Amelia Avenue and Allen Avenue. Staff has prepared Conditions of Approval that will be required should the City Council approve the event. She said representatives from Five Cities Marathon are present with a short video presentation of their proposal.

Greg Seratto, Marketing Director/Website Administrator, Five Cities Marathon, introduced his colleagues Executive Director Rudy Yela, Safety/Insurance Director Vince Calderon, Race Director Lori Calderon, and Festivities Director Leah Yela, and showed a brief video of what the marathon entails. He said as the marathon and running community grows, they need to have a marathon in the San Gabriel Valley or Inland Empire.

Lori Calderon, Race Director, Five Cities Marathon, said she has been involved in the Los Angeles marathon for over 20 years and part of the Pasadena marathon. She said Five Cities Marathon was put together as the vision of Rudy Yela and residents of San Dimas who thought this would be a great area to have this event. The date proposed is April 18, 2010 and Five Cities Marathon plans to work closely with sponsors, all cities, chambers and community residents.

In response to Council, **Vince Calderon** explained that as individual business members who put in 80 hours weekly, Five Cities Marathon is for profit. He added that they do not expect to make great profit on the promotion of the marathon since they have budgeted funds to be donated to the cities. He said although this is their inaugural year, they all have experience with marathons either in a voluntary manner or taking part in the promotion and they have an estimated \$5 million insurance coverage, as well as cancellation insurance.

In response to Mayor Pro Tem Bertone, Director Bruns replied that the organization does not have a track record for organizing marathons; however, she has verified they have individually participated in organizations as claimed.

Mrs. Calderon outlined the meetings scheduled with the cities of Pomona, La Verne and Claremont, and said City staff informed them there is no need to meet with the Cities of Upland and Montclair.

In response to Council, Ms. Bruns reviewed the budget for Sheriff's staffing, traffic control and cones and barricades.

Councilmember Templeman requested that Public Works Director Patel be consulted on the plan, the formalities on closures, minimization of traffic, and the true costs in San Dimas.

Mayor Pro Tem Bertone said he would have to be convinced the City would come out whole and not subsidize the event. He made the motion to authorize staff to further explore whether or not the request for a marathon would ultimately be recommended by staff, create conditions of approval, and submit the additional information to the City Council for approval.

The motion was seconded by Councilmember Badar and carried unanimously.

- b. Request to consider closure of Monte Vista Avenue, north of Allen Avenue, to allow for relocation of student classrooms on the street from December 1 through August 31, 2009 during modernization of Chaparral High School.

Public Works Director Patel presented a request from Bonita Unified School District (BUSD) to close Monte Vista Avenue, north of Allen Avenue, during the modernization of the Ed Jones Educational Center and Chaparral High School for Continuing Education from December 2009 through August 2010 to allow them to temporarily set up classroom modules. Staff has reviewed this request and is supportive if BUSD meets specific conditions in addition to normal street closure conditions. Following direction of Council and closure plans reviewed by Traffic Safety Committee, staff will bring back the closure request with conditions to Council for formal approval.

Mike Phillips, Director of Facilities, Bonita Unified School District, stated that since the units have to be anchored into the street, they would be willing to make any repairs needed beyond the slurring. They appreciate any assistance the City can offer.

It was moved by Mayor Pro Tem Bertone, seconded by Councilmember Badar, to approve the request from Bonita Unified School District's to close Monte Vista Avenue, north of Allen Avenue, to the cul-de-sac for temporary housing of student classrooms for Chaparral High School from December 2009 through August 2010 pursuant to staff's specific Conditions of Approval with the exception of condition seven. The motion carried unanimously.

- c. Request to consider closure of Bonita Avenue and certain streets within the Downtown Area on Friday, October 23, 2009 from 2:30 p.m. to 4:45 p.m. for the San Dimas High School Homecoming Parade.

Public Works Director Patel presented a request from San Dimas High School to hold their Homecoming Parade through Iglesia Street/Bonita Avenue/Monte Vista Avenue on October 23, 2009. He reviewed the net impacts of the request and inquired if the City should fund the estimated \$2,500-\$3,000 to provide staffing and traffic control or should the School be responsible for payment. Staff will bring back Conditions of Approval for Council's consideration and approval.

Mayor Morris reported for the record that letters were received from Paul Kirby, Train Stop; Bill Ireland; Susan Kirby, Train Stop; as was a petition signed by twelve merchants in the area suggesting the homecoming parade be conducted on San Dimas Avenue so as to not impact business hours of operation in the Downtown.

Councilmember Templeman said he received an email from Craig Johnson, Hardware Store, with similar comments.

Mayor Morris invited advocates of the parade to speak.

1) **Rita Kear**, Assistant Principal, San Dimas High School, understands the concerns by the businesses, but said this is an opportunity to bring together the community and hopes the City Council honors the wishes of the students by allowing them to have a homecoming parade.

Mayor Morris asked members of the audience opposed to the Parade to speak.

1) **Paul Kirby**, Train Stop, 211 W. Bonita, said the notification that this item was on the agenda was received on Friday. He expressed concern that he would be unable to recover losses during these poor economic times. He did not oppose the homecoming parade but suggested it would be appropriate to end the parade at San Dimas High School rather than the Downtown.

Councilmember Templeman said he fully supports the homecoming parade, however, the original intent of having the parade on Bonita Avenue was to benefit the Downtown merchants and that seems to not be the case. He expressed concerns about the course and thought more could be done with the route. He suggested discussions be held with School faculty.

Mayor Pro Tem Bertone said parades are traditionally held on a main street, which may inconvenience some people. He is in favor of holding the parade on Bonita Avenue as requested for 2.5 hours.

In response to Councilmember Badar, Director Patel replied that a meeting was held in January with Merchants to discuss Bank of America parking lot improvements, issues, loss of business concerns, and alternate routes. He added that for last year's parade, staff worked with the School District faculty on a safer, shorter route along Bonita Avenue.

Councilmember Ebner expressed mixed feelings. He thought the parade was a good idea, but was not convinced San Dimas Avenue was a better route. He thought if the students and their parents frequented the businesses in the Downtown, merchants would be more likely to support High School activities.

Councilmember Badar said conducting the parade on Friday afternoon not only affects the Downtown Merchants, but also affects major traffic flow. He suggested City staff, the School District, and Bonita Corridor Group come up with a better plan.

It was moved by Mayor Pro Tem Bertone, seconded by Councilmember Ebner, to approve the request from San Dimas High School to hold their Homecoming Parade on Bonita Avenue through downtown on October 23, 2009.

Councilmember Templeman said as currently stated, he would oppose the motion.

Mayor Morris said the decision comes down to denial due to the inconvenience to the Merchants, or approval as part of community relations.

City Manager Michaelis offered a different approach that included an escorted parade or a rolling parade, setting up a band at a shopping center; or a pep rally at Civic Center Park. He said the School's clear preference is the traditional parade.

Councilmember Templeman said he would support the parade one more time, but could not support this route again without more support for the business community.

The motion carried unanimously.

It was moved by Mayor Pro Tem Bertone, seconded by Councilmember Templeman, to authorize the City to fund the estimated \$2,500 to \$3,000 to provide necessary staffing and traffic control. The motion carried unanimously.

Dr. Gary Rapkin, Bonita Unified School District, thanked the City Council and staff for recognizing San Dimas High School CIF Championship athletes. He added that he heard positive comments from folks who attended the parade last year and he appreciates the City's integral participation.

7. SAN DIMAS REDEVELOPMENT AGENCY

Mayor Morris recessed the regular meeting at 9:14 p.m. to convene a meeting of the San Dimas Redevelopment Agency Board of Directors. The regular meeting reconvened at 9:15 p.m..

8. ORAL COMMUNICATIONS

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

There were none

- b. City Manager

There were no comments.

- 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.

No one attended a meeting at the expense of the local agency.

- 2) Individual Members' comments and updates.

1) Councilmember Templeman had previously discussed with Senator Huff a problem on the 57 freeway. He was pleased that the freeway was repaired properly and called Senator Huff to thank him.

2) Mayor Pro Tem Bertone provided an update on the Foothill Gold Line which is planned to go from Downtown Los Angeles Union Station to Ontario Airport. He said the current route goes from Los Angeles Union Railroad Station to Pasadena. Mr. Bertone reported that the Metropolitan Transportation Authority is scheduled to vote on the draft plan on July 23, 2009 to get it on their Long Range

Transportation Plan because the Federal Government will not provide grant funds or authorize the construction unless it is on the Long Range Plan. He said the schedule calls for completion by 2017; however, the Gold Line Foothill Construction Authority would like it completed by 2013.

3) Mayor Morris provided an update on the liability dispute between cities and the County over who will pay for sex crimes committed by Deputy Sheriffs in the scope of their employment. He said Contract Cities made an offer and he believes there will be a settlement soon.

3) Appoint Youth Member to Parks and Recreation Commission.

Parks and Recreation Director Bruns reported that the Youth Member vacancy on the Parks and Recreation Commission was advertised and two applications were received. Applicants were interviewed by Parks and Recreation Department staff who recommended appointment of Shannon McKee for a one-year term.

It was moved by Councilmember Ebner, seconded by Councilmember Templeman, to appoint Shannon McKee to Youth Member on the Parks and Recreation Commission for a term to expire September 13, 2010. The motion carried unanimously.

4) Appointments to Equestrian Commission.

Assistant City Manager Duran reported that Doug Aschenbrenner and Rebecca Mollé's initial terms on the Equestrian Commission expire at the end of July 2009. He said Mr. Aschenbrenner has expressed a desire to be reappointed, however, due to other commitments, Ms. Mollé declined reappointment.

It was moved by Councilmember Templeman, seconded by Mayor Pro Tem Bertone, to reappoint Doug Aschenbrenner to a two-year term to expire on July 31, 2011. The motion carried unanimously.

The City Clerk was directed to advertise and accept applications for the vacancy on the Equestrian Commission.

9. RECESS TO STUDY SESSION AT APPROXIMATELY 9:00 P.M. (May start earlier)

Mayor Morris recessed the regular meeting at 9:24 p.m. to convene a Joint City Council/Planning Commission study session in the City Council Conference Room to discuss the Grove Station Family Apartment proposal. The regular meeting reconvened at 11:02 p.m.

- a. Joint City Council/Planning Commission Study Session on Grove Station Family Apartment proposal to receive a presentation and general information about the project (Limited to preliminary comments and questions. No directions or decisions anticipated.)

10. ADJOURNMENT

Mayor Morris adjourned the meeting at 11:02 p.m. The next meeting is on July 28, 2009, 7:00 p.m..

Respectfully submitted