



MINUTES
REGULAR CITY COUNCIL /
REDEVELOPMENT AGENCY MEETING
TUESDAY, AUGUST 25, 2009, 7:00 P. M.
COUNCIL CHAMBERS, 245 E. BONITA AVE.

PRESENT:

Mayor Curtis W. Morris
Mayor Pro Tem Denis Bertone
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
Facilities Manager Karon DeLeon
Recreation Services Manager Leon Raya
Administrative Aide Kevin Frey

ABSENT:

Councilmember Emmett Badar
Councilmember John Ebiner

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. RECOGNITIONS

- ❖ Recognition of City Swim Team members who represented San Dimas at the Southern California Swimming Championships in La Mirada, California.

Facilities Manager Deleon provided a brief background of the Swim Team activities and steps taken to achieve the Championship level. She read the proclamation while Mayor Morris congratulated and presented proclamations to **Amanda Avery, Jeremiah Barefield, Brook Bernal, Hannah Bernal, Amber Blakesley, Cameron Gregoire, Jerrod Humphrey, Gilbert Lin, Andrew Mayer, Jeremy Smith, Joshua Smith, Kayla Smith, Bryan Solorio, David Velasquez, Darin Vera, Jason Wu and Phillip Wu**, members of the City's Swim Team who qualified to represent City of San Dimas and the regional in the Southern California Municipal Athletic Federation Championship in La Mirada.

Mayor Morris congratulated and thanked staff for running a great summer program.

- ❖ Recognition of San Dimas Little League Junior Division team that won Section III Tournaments.

Recreation Services Manager Raya provided a brief background on the Team's winnings while Mayor Morris congratulated members of the San Dimas All Stars who won the Section Three Championships in three divisions: 9 and 10 year old All Stars; 10 and 11 year old All Stars, and Junior All Stars. In recognition of their achievement, City certifications were presented to **Vincent Alberico, Christopher Aldrete, Andrew Espinoza, Tyler Hoefflerle, Jimmy Lambert, Landon Moore, Everardo Navarro, Ricky Ramirez, Matt Rogers, Brandon Schneider, Christopher Smith, and Aaron Torres and Manager, James Smith, Head Coach Dave Hoefflerle, Coach Jody More and Coach Glenn Schneider.**

Mayor Morris thanked staff for their dedication and hard work supporting youth sports.

❖ Proclaiming September 2009 Los Angeles County Fair Month

Mayor Morris welcomed **Michelle DeMott** and presented her with a Proclamation declaring September 10, 2009 as San Dimas Day at the Los Angeles County Fair. He said the Fair is celebrating their 87th anniversary and will be honoring John and Susan Davis, Bill and Ann Hutfless, and Andrew Valenzuela as the 2009 San Dimas Community Heroes at San Dimas Days at the Fair on September 10, 2009.

Michelle DeMott, Director of Marketing and Communications, L. A. County Fair, said it was an honor to be here to accept the proclamation. She is proud of the partnership with the City and said she can't think of a better city to honor at the L.A. County Fair.

❖ Proclaiming September 2009 San Dimas Heroes Appreciation Month

Mayor Morris said an earlier meeting was conducted with representatives of the San Dimas Heroes to discuss potential sites to locate a monument for Veterans in the City of San Dimas. Mayor Morris said the San Dimas Heroes is conducting a fundraiser for the month of September involving restaurants who agreed to donate a portion of their proceeds toward the Veterans Memorial. He summarized and presented to **Gary Enderle** and **Janie Graef**, a Proclamation declaring September 2009 as San Dimas Heroes Appreciation Month.

Janie Graef, San Dimas Heroes, thanked the City Council for the recognition and read the list of restaurants participating in their fundraiser and said they really appreciate their support. She introduced committee members and acknowledged parents of Veterans who were present tonight.

3. ANNOUNCEMENTS

❖ Pui-Ching Ho, Librarian, San Dimas Library

Pui-Ching Ho, Library Manager, San Dimas Library, said the Library offers free English conversation practice for adults; for more information, contact the Library at (909) 599-6738. She said the Book Club Discussion Group meets on Monday, October 14, and the book for September is the Lazarus Project. She reported that over 1500 people participated at various programs and activities offered at the Library and Community Building. She thanked the many volunteers who made the summer reading program a big success and thanked the local businesses and organizations that provided wonderful support and prizes. She especially thanked the City of San Dimas for allowing them the use of the community building for the children's programs.

In response to Mayor Morris, Ms. Ho said the Library is open Monday through Thursday from 12:00 noon to 8:00 p.m. and Friday and Saturday between 10:00 a.m. to 5:00 p.m.

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) **Adolfo Mirelles**, Tiburon, is a retired architect who designed over 26 transportation stations including hot rail and light rail, and noticed the lack of a Metrolink station in San Dimas. He was told by a representative of the Metropolitan Transportation Authority that funds are available and only needs the

San Dimas City Council to request those monies to build a station for the benefit of the community. He volunteered his services to assist in any way.

Mayor Morris said staff will look into this matter.

2) **Vern Van Vorst** mentioned he would like to see a Metrolink station in San Dimas. He said he supports the proclamation presented to San Dimas Heroes.

3) **Bill Armstrong** on behalf of himself, servicepersons, and residents expressed gratitude to the City Council for its many endeavors to maintain the standard of living and involvement in the city of San Dimas. His son, a pilot currently on active duty with the Air Force, will be deployed to the Mid-East for four months. He said he is looking forward to San Dimas Day at the Fair and is excited about participating in the Heroes parade.

4) A **Veteran of Foreign Wars**, on behalf of San Dimas Post 12034, said freedom is not free and there is a need to honor those who paid the ultimate sacrifice and those who are currently serving. He thanked and saluted the City Council for recognizing San Dimas Heroes.

5) **Karl Kurtz**, VFW Post Commander for Post 12034 La Verne/San Dimas expressed his appreciation for what is done for our Veterans, and he looks forward to the construction of a Memorial.

6) **Ted Powl**, President/CEO, Chamber of Commerce, expressed appreciation for what San Dimas Heroes is doing for servicepeople of our community. He announced that Western Days will be held on October 3-4, 2009 and encouraged everyone to come out to enjoy the community and be part of Western Days. He said anyone can participate in the Community Parade - for more information contact the Chamber at (909) 592-3818. He said they are expanding and moving the Business Expo to Bonita Avenue and adding a new event with the Los Angeles County Fire Department to help those who live in the foothills when threatened by fire. Nonprofit organizations are encouraged to have a booth to promote their organization at no cost, but reservations are necessary. He urged folks to come enjoy great food and amusement for all ages and said girls ages 6-9 can compete in the Little Miss San Dimas contest.

7) **Chris Wilson** came to support San Dimas Heroes and said his son Jarred serves as a Navy Corpsman with the Marines at 29 Palms and deploys to Afghanistan in October. He and his wife expressed their appreciation for the opportunity to drive by Foothill to see the flag honoring their son, as well as others serving.

8) **Madeline Burgos** said in order to obtain her Public Safety Interest Project, she is hoping to work with the City of San Dimas to have crossing guards in front of Ekstrand School to eliminate the risk factor for kids crossing in between cars.

Mayor Morris offered assistance in helping her earn her badge.

9) **Bob Smith**, member of VFW Post 12034, thanked the City Council for honoring Veterans, and said he was also moved by the recognition tonight of the young kids and future Veterans receiving baseball and swimming awards.

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.)

It was moved by Councilmember Templeman, seconded by Mayor Pro Tem Bertone, and carried by those present to accept, approve and act upon the consent calendar, as presented, as follows. Councilmembers Badar and Ebner were absent.

- a. Resolutions read by title, further reading waived, passage and adoption recommended as follows:
 - (1) **No. 09-41**, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN DIMAS, CALIFORNIA, APPROVING CERTAIN DEMANDS FOR THE MONTH OF AUGUST, 2009.
- b. Approval of minutes for regular meeting of August 11, 2009.
- c. Celebrate 20th Anniversary of National Alcohol & Drug Addiction Recovery Month.

END OF CONSENT CALENDAR

6. PUBLIC HEARINGS

(The following items have been advertised and/or posted. The meeting will be opened to receive public testimony.)

- a. Municipal Code Text Amendment 09-02, a request to make minor amendments to clarify recreational vehicle parking regulations; Applicant: The City of San Dimas

ORDINANCE NO. 1188, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN DIMAS, CALIFORNIA, APPROVING MUNICIPAL CODE TEXT AMENDMENT 09-02 AMENDING TITLE 18 ZONING CODE REGARDING RECREATIONAL VEHICLE PARKING. **FIRST READING AND INTRODUCTION**

Director of Development Services Coleman said that for the past five years Recreational Vehicles parked in front yards has ranked as second most common resident complaint. He said that after listening to both sides of the issue on June 23, 2009 the City Council reaffirmed keeping the City's ordinance prohibiting RV parking in front yards and staff was directed to begin proactive enforcement. At that same meeting, staff was also directed to initiate a code amendment to clarify the City's RV parking restrictions. Staff recommended three minor revisions: 1) Define types of recreational vehicles, boats or trailers; 2) Permit temporary parking on a paved driveway for up to two consecutive days for the purpose of loading, unloading or prepping; and 3) Consolidate RV parking regulations in the Code to minimize confusion and conflicts. He said the Planning Commission also recommended adopting an Administrative Review process to allow front yard parking on a case-by-case basis. Staff recommends introduction of Ordinance No. 1188.

Mayor Morris opened the public hearing and invited public testimony in favor of this item and the following persons spoke:

- 1) **Ernest Banks**, North Oceanbluff Avenue, strongly urged the adoption of the administrative review option. He appreciates all the work done.
- 2) **Reid Wilder** says he has no side access in his home and would like the City Council to consider approving the option.
- 3) **Steve Osborn** appreciates the amendment because he does not have a side space to park his trailer and has no alternative than to park in front. He added that there is no encroachment on the sidewalk.
- 4) **George Jaeger** is highly supportive of the administrative review for citizens who have no side or back yard to allow them to safely park their vehicles in their front yard, rather than pay for storage.
- 5) **Kim Shultenburg** appreciates consideration of the amendment proposed to allow exceptions.

6) **Sheri McCants** expressed appreciation for considering changing the City code, and hopes for a good outcome.

Mayor Morris asked if anyone wished to speak in opposition to the proposed ordinance and the following person spoke:

1) **Dr. Marvin Ersher** spoke in strong opposition to the optional amendment. He said in June, the City Council considered all options and rejected the administrative review. He added that the original ordinance has been in effect since July 1973 and sees no reason to make it null and void.

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

In response to Mayor Morris, Director Coleman replied that the administrative review does not permit parking in the front yard setback. He added that there are various lots that have greater than the front yard setback and when they have a side entry garage, residents can park an RV behind the line of garage behind the setback. He said the required front yard setback is 20-feet, measured from the front property line, which is the right of way line for the street, not the sidewalk or curb face.

Councilmember Templeman said the amendment recommended by the Planning Commission has nine restrictive components and makes sense when the dwelling sits back far enough. He is supportive of this option.

Director Coleman pointed out that La Verne is the only city in this region that allows RVs to park in front yards in a manner that blocks access to the garage. He said the amendment is not proposing that to be one of the criteria and that would eliminate a lot of situations.

Councilmember Templeman said he supports the Planning Commission recommendation as it relates to temporary coverings that in some circumstances the screening would create more eyesore.

Mayor Morris would like the Council to consider one item at a time to vote on and he suggested starting with the administrative review permit process.

Councilmember Templeman moved to include the administrative review option.
The motion died due to lack of a second.

Mayor Pro Tem Bertone moved to delete the option for an administrative review permit for RV storage in the front yard as recommended by the Planning Commission. The motion was seconded by Mayor Morris.

Councilmember Templeman said staff worked hard to understand regional and community issues and on balance he felt most of the community would understand and accept the administrative review.

Mayor Morris said most people who spoke with him opposed the administrative review and the City Council previously rejected the administrative review.

The motion carried 2.1.2; Councilmember Templeman was opposed and Councilmembers Badar and Ebiner were absent.

Mayor Morris said Council can now decide whether or not to allow screening.

In response to Mayor Pro Tem Bertone, Director Coleman replied that screening would be at the main building line, or behind the line. The screen would have to be between the RV and public view.

It was moved by Mayor Pro Tem Bertone to include screening.
The motion died due to lack of a second.

It was moved by Councilmember Templeman, seconded by Mayor Morris, to support the Planning Commission's recommendation against screening. The motion carried 2.1.2; Mayor Pro Tem Bertone opposed and Councilmembers Badar and Ebner were absent.

It was moved by Councilmember Templeman, seconded by Mayor Pro Tem Bertone, to support temporary coverings as recommended by the Planning Commission. The motion carried 3.2; Councilmembers Badar and Ebner were absent.

In response to Council, City Attorney Brown said that the ordinance that would be introduced this evening would provide for the temporary fitted tarps, would not require fencing, and it would not have the option for administrative review. The ordinance will be revised for the second reading.

After the title was read, it was moved by Mayor Pro Tem Bertone, seconded by Mayor Morris, to waive further reading and introduce **ORDINANCE NO. 1188, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN DIMAS, CALIFORNIA, APPROVING MUNICIPAL CODE TEXT AMENDMENT 09-02 AMENDING TITLE 18 ZONING CODE REGARDING RECREATIONAL VEHICLE PARKING** as amended. The motion carried by the following vote:

AYES: Councilmembers Bertone, Morris
NOES: Councilmember Templeman
ABSENT: Councilmembers Badar, Ebner
ABSTAIN: None

- b. Municipal Code Text Amendment 09-03, a request to establish administrative citation provisions.
Applicant: The City of San Dimas

ORDINANCE NO. 1189, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN DIMAS, CALIFORNIA, APPROVING MUNICIPAL CODE TEXT AMENDMENT NO. 09-03 REGARDING ADMINISTRATIVE PENALTIES AND AMENDING TITLE 1 OF THE SAN DIMAS MUNICIPAL CODE. FIRST READING AND INTRODUCTION

Director of Development Services Coleman reported that State law authorizes cities to charge an administrative fine or penalty against ordinance violations. He said audit findings of the code enforcement program recommended expanding the tools and resources available to address violations by adopting an administrative citation process. Most of the surrounding communities have found administrative citations to be an effective tool for violations on private property. The Planning Commission also recommended approval of Municipal Code Text Amendment No. 09-03 establishing administrative citation procedures. Staff recommends introduction of Ordinance No. 1189.

Mayor Morris opened the public hearing and invited public testimony in favor of this issue and no one came forward to comment.

Mayor Morris invited those in opposition to this issue to comment and the following persons came forward.

1) **Dr. Marvin Ersher** said he is not speaking in opposition; however, he thought severe violations should warrant significantly higher fines. He asked if the review applied to zoning and building code violations as well.

Director Coleman said the review would apply to any violation of the Municipal Code; but the fine is set by state law. He said each day is a separate violation and chronic offenders could be cited for each day.

In response to Mayor Morris' inquiry whether this process was discretionary, City Attorney Brown said the review simply adds another tool for enforcing the City's code.

In response to Dr. Ersher, City Attorney Brown replied that the ordinance provides the discretion to take the process to a higher level.

2) **Ernest Banks** opposed the ordinance because he felt it would make it easier for the City to collect fines from RV owners who park their RVs in their front yards.

3) **Reid Wilder** stated that when he purchased the house, it was not disclosed that he could not have an RV there. He opposed the ordinance.

Mayor Morris said extensive hearings were conducted years ago.

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

Mayor Pro Tem Bertone stated that the Ordinance was not put in place to punish individuals, but to save taxpayers money.

After the title was read, it was moved by Mayor Pro Tem Bertone, seconded by Councilmember Templeman, to waive further reading and introduce **ORDINANCE NO. 1189**, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN DIMAS, CALIFORNIA, APPROVING MUNICIPAL CODE TEXT AMENDMENT NO. 09-03 REGARDING ADMINISTRATIVE PENALTIES AND AMENDING TITLE 1 OF THE SAN DIMAS MUNICIPAL CODE. The motion carried by the following vote:

AYES: Councilmembers Bertone, Templeman, Morris
NOES: None
ABSENT: Councilmembers Badar, Ebiner
ABSTAIN: None

c. Congestion Management Plan 2009 Local Development Report:

RESOLUTION NO. 09-42, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN DIMAS, CALIFORNIA, FINDING THE CITY TO BE IN CONFORMANCE WITH THE CONGESTION MANAGEMENT PROGRAM (CMP) AND ADOPTING THE CMP LOCAL IMPLEMENTATION REPORT, IN ACCORDANCE WITH CALIFORNIA GOVERNMENT CODE SECTION 65089.

Assistant City Manager of Community Development Stevens presented the staff report and said the City is required to adopt an annual resolution certifying the City has met county-wide Congestion Management Plan requirements. Staff recommended adoption of Resolution No. 09-42.

Mayor Morris opened the public hearing and asked if anyone wished to speak on this item. There being no one, he closed the public hearing.

After the title was read, it was moved by Councilmember Templeman, seconded by Mayor Pro Tem Bertone, to waive further reading and adopt **RESOLUTION NO. 09-42**, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN DIMAS, CALIFORNIA, FINDING THE CITY TO BE IN CONFORMANCE WITH THE CONGESTION MANAGEMENT PROGRAM (CMP) AND ADOPTING THE CMP LOCAL IMPLEMENTATION REPORT, IN ACCORDANCE WITH CALIFORNIA GOVERNMENT CODE SECTION 65089. The motion carried unanimously by those present; Councilmembers Badar and Ebiner were absent.

7. ORDINANCES

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

- (1) **ORDINANCE NO. 1187, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN DIMAS APPROVING MUNICIPAL CODE TEXT AMENDMENT 09-01, A REQUEST TO AMEND SPECIFIC PLAN NO. 26 FOR THE PROPERTY LOCATED AT NORTHWEST CORNER OF EAST BONITA AVENUE AND SAN DIMAS CANYON ROAD (APN: 8390-013-010, 011, and 012). SECOND READING AND ADOPTION**

City Manager Michaelis reported that Ordinance No. 1187 was introduced on August 11, 2009 and adoption would approve the Bonita Canyon Gateway project at the northwest corner of East Bonita Avenue and San Dimas Canyon Road.

After the title was read, it was moved by Mayor Pro Tem Bertone, seconded by Councilmember Templeman, to waive further reading and adopt **ORDINANCE NO. 1187, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN DIMAS APPROVING MUNICIPAL CODE TEXT AMENDMENT 09-01, A REQUEST TO AMEND SPECIFIC PLAN NO. 26 FOR THE PROPERTY LOCATED AT NORTHWEST CORNER OF EAST BONITA AVENUE AND SAN DIMAS CANYON ROAD (APN: 8390-013-010, 011, and 012)**. The motion carried unanimously by those present; Councilmembers Badar and Ebner were absent.

8. PLANNING/DEVELOPMENT SERVICES

- a. Authorization to enter into contract with CTG Energetics for Energy Strategy and Greenhouse Gas Emissions Inventory.

Assistant City Manager of Community Development Stevens reported that the City of San Dimas is allocated \$150,220 in funding through the Energy Efficiency and Conservation Block Grant Program set up by Federal Government. The City applied for funds to replace equipment at the Swim and Racquet Club and to re-ballast lighting at the Senior Citizens/Community Center. One of the conditions for this grant will be an Energy Efficiency & Conservation Strategy with measurable goals and objectives and a schedule with milestones. The City also applied for \$81,000 under the Climate Showcase Communities Grant Program to prepare an Energy Strategy and a Greenhouse Gas Emissions Inventory, which has a 50% local match and includes a three-year reporting/tracking requirement. Mr. Stevens stated that the Environmental Protection Agency called to advise that the pool equipment would not be permitted pursuant to the grant and staff has not yet determined how to reprogram and make adjustments based on that change. He said since the energy strategy is an eligible expenditure, it is likely that staff will recommend dropping the Climate Showcase application, which has a 50% match, and paying for CTG Energetic study out of the \$150,000 grant. Staff recommends the City Council approve a contract with CTG Energetics for \$52,345, plus up to 10% increase if less than five cities participate, to prepare an Energy strategy and Green House Gas Emissions Inventory.

In response to Mayor Pro Tem Bertone, Mr. Stevens said the study would help to some degree with AB 32. He emphasized that AB 32 scoping plan only calls for encouraging municipalities to voluntarily undertake the 15% reductions. He said there would be some benefit in SB 375 but how much is not clear. He added that this is funded under the Energy Efficiency Grant and staff needs to find \$80,000 in projects on the list.

It was moved by Mayor Pro Tem Bertone, seconded by Councilmember Templeman, to authorize staff to enter into contract with CTG Energetics, in the amount of \$52,345, plus a 10% contingency, to prepare an Energy Strategy and Greenhouse Gas Emissions Inventory. The motion carried unanimously by those present; Councilmembers Badar and Ebner were absent.

- b. Amending Municipal Code regarding Massage Therapy Technicians and certain facility requirements to comply with State legislation.

ORDINANCE NO. 1190, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN DIMAS AMENDING TITLE 5 CHAPTERS 5.08, 5.28, 5.32 and 5.77 OF THE SAN DIMAS MUNICIPAL CODE REGARDING PERMITS FOR MASSAGE TECHNICIANS AND CERTAIN FACILITY REQUIREMENTS. FIRST READING AND INTRODUCTION

Administrative Aide Frey presented the staff report and said Senate Bill 731 which takes effect on September 1, 2009 provides for statewide certification of massage therapists, and staff is proposing that it not be mandatory to require State certification until September 1, 2010. He said some amendments are required in Chapter 5.77 of the Municipal Code to comply with this legislation and he recommended introduction of Ordinance No. 1190.

City Attorney Brown reported that a resident has written in support of the proposed legislation and amendment and she indicates she is currently licensed in San Dimas and Upland and offered to assist with the implementation of this ordinance. Mr. Brown stated he also made non-substantive changes to the ordinance, a copy of which has been placed on the dais for Council's consideration.

In response to Mayor Pro Tem Bertone, Assistant City Manager Stevens replied that the City still retains zoning authority over business establishments and their location, but loses authority over individual massage technicians who get state certification.

In response to Councilmember Templeman, Mr. Stevens stated that the establishment needs the business license and the massage technicians do not need licensing if they have state certification.

Mayor Morris invited comments from the audience.

1) **Rebecca Tkach**, San Dimas Wellness Center, said she voted to have California certification available to practitioners, however, the Private Post Secondary and Vocational Reform Act which required maintenance of student records for 50 years for degree grant institutions and five years for non-degree grant institutions lost its funding and became inoperative on June 30, 2007, then the Act was repealed in 2008. She said while many schools committed to maintain students' records, in accordance with prior Act, many records, particularly for schools closed prior to sunset of Act, have destroyed their records and institutions are insisting massage technicians provide proof of records. She said the school she attended closed December 31, 2005 and destroyed all records. She does not have the ability to provide proof of records.

In response to Mayor Pro Tem Bertone, Mr. Frey said cities still have the option to accept indefinitely non-state certified massage therapists.

Assistant City Manager Stevens thought statewide efforts should be encouraged and given the opportunity to work; however, if after one year, the state process is not working, staff can revisit the standards.

After the title was read, it was moved by Mayor Pro Tem Bertone, seconded by Councilmember Templeman, to waive further reading and introduce **ORDINANCE NO. 1190, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN DIMAS AMENDING TITLE 5 CHAPTERS 5.08, 5.28, 5.32 and 5.77 OF THE SAN DIMAS MUNICIPAL CODE REGARDING PERMITS FOR MASSAGE TECHNICIANS AND CERTAIN FACILITY REQUIREMENTS.** The motion carried unanimously by those present; Councilmembers Badar and Ebner were absent.

9. OTHER MATTERS

- a. Consider Request from San Dimas Little League for Waiver of Financial Commitment.

Recreation Services Manager Raya presented the staff report and said San Dimas Little League is experiencing some financial difficulties and has requested that the City waive fees owed by the League for field maintenance and pest control. Staff presented two options for Council's consideration: Option 1: Postpone payment of fees in the amount of \$1,846.80 until July 2010; Option 2: Waive field maintenance fees in the amount of \$1,824.84, which leaves a balance due of \$19.96. He said President of Little League Ramona Duran is present tonight.

In response to Mayor Morris, Manager Raya replied that terms could be something staff would negotiate with San Dimas Little League, keeping in mind that the City does not want Little League to incur inordinate financial expense in light of their financial situation. He said terms could be extended over one or two seasons whatever is prudent and beneficial to the League.

1) Ramona Duran, President, San Dimas Little League, said San Dimas Little League has completed their 52nd year and has over the years made major improvements to the park, upgraded the Sportsplex, Marchant Park, Pioneer Park, fields at Ekstrand School and donated the score board to youth softball. They find themselves in the current position due to the economy, unplanned capital improvements due to Bonita modernization, and shortfall of projected earnings, and are asking the City Council for assistance to waive outstanding fees. She indicated that they cannot postpone payment of fees because they are obliged to adhere to their fiscal budget. She introduced incoming President Tim Rowe.

In response to Mayor Morris, Ms. Duran replied that the 2009 Board approved payment to the City, which leaves a balance of \$400 to start the new season.

Mayor Morris asked if it would violate the rules if the City made a loan to San Dimas Little League to start the new season. Ms. Duran believed a loan would not violate the rules.

In response to Mayor Morris, Manager Raya replied that Little League received a letter from the Health Department advising them to be aware of compliance issues and the Little League decided to proceed with a significant overhaul of the snack bar to ensure they would be in compliance with Health Department regulations. He said the City agreed to contribute \$1,000 toward the cost of minor renovations, and provided no fee permits for any building code modifications required, and building inspections for those items that pertain to the City.

In response to Council, Director Bruns suggested that the invoice could be held and submitted next season when the Little League has sufficient funds.

Councilmember Templeman said he is supportive of a loan to get the Little League through this difficult financial setback.

Tim Rowe, incoming Little League President, said the League is about kids and his goal is to make sure Little League remains an affordable family activity. He would like to recognize James McCants who offered \$1,824 to pay the debt in honor of his father.

Manager Raya applauded Mr. McCants for his generous offer. He said from crisis comes opportunity and courage and this is an example of how a community comes together and meets the crisis.

10. SAN DIMAS REDEVELOPMENT AGENCY

Mayor Morris recessed the regular meeting at 9:42 p.m. to convene a meeting of the San Dimas Redevelopment Agency Board of Directors. The regular meeting reconvened at 9:43 p.m..

11. ORAL COMMUNICATIONS

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

1) **Reid Wilder** said he will obtain a disability exemption to park his motorhome on his front yard.

- b. City Manager– Meeting dates and times for the Fall City Council/Staff Retreat
Tuesday, September 29th 5:00 p.m.
Thursday, October 1st 5:00 p.m.
Monday, October 5th 5:00 p.m.
Saturday, October 10th 8:00 a.m.

This item was deferred until the next meeting.

- 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 meetings were attended at the expense of the local agency.

- 2) Individual Members' comments and updates.

There were no comments.

12. ADJOURNMENT

Mayor Morris adjourned the meeting at 9:51 p.m. The next meeting is on September 8, 2009 at 7:00 p.m.

Respectfully submitted,

Ina Rios, CMC, City Clerk