



MINUTES
REGULAR CITY COUNCIL
TUESDAY, OCTOBER 13, 2009, 7:00 P. M.
COUNCIL CHAMBERS, 245 E. BONITA AVE.

PRESENT:

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 7:00 p.m. and led the flag salute.

2. RECOGNITIONS

- ❖ Proclaim October 2009 as Fire Prevention Month

Mayor Morris read a proclamation declaring October as Fire Prevention Month - the 2009 theme is "Stay Fire Smart! Don't Get Burned!" and urged residents to protect their homes and families by heeding the important safety measures of Fire Prevention Month 2009 and to support the many public safety activities and efforts of San Dimas Fire and Emergency Services. He presented the proclamation to Battalion Chief Dan Wilson and his crew with appreciation for their services.

On behalf of the Los Angeles County Fire Department, Battalion Chief Dan Wilson thanked the City Council for the recognition.

3. PRESENTATIONS

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

Pui-Ching Ho, Library Manager, San Dimas Library, said Richard Wade will present the *Last Days of the Dinosaur* on October 14, at 6:30 p.m.; she invited the public to meet local author Isla Morley on Wednesday, October 21 at 6:30 p.m. and hear her tell the story about her book *Come Sunday* and how she finds inspiration. Copies of the book are available at the San Dimas Library. Ms. Ho said the first Teen Book Club meeting will be at the Student Union on October 27, at 4:00 p.m.; come dressed in your costume and make Halloween arts projects between 2:30 - 4:00 p.m. on Saturday, October 31. Refreshments will be provided. Students, Kindergarten through 12th grade, are invited to enter the Bookmark contest. This year's theme is Books and Beyond. Entry forms are available at the Library or on their website at www.co.la.publib.org. and will be accepted through Friday, October 30. The winner will be announced the first week of November.

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**, President/CEO, Chamber of Commerce, thanked volunteers and attendees for a great Western Days event. He said the event was well attended. He thanked the City for the support provided.

2) **Briana Sallette**, ASB President, San Dimas High School, reported on the projects needed to graduate; and said teachers and parents support the school and the programs. She mentioned they won the annual smudgepot game, but most importantly, the football program raised over \$9,000 to support children whose parents are serving in the war or have passed away while in service. They look forward to their homecoming parade and dance on Friday, October 23, 2009.

3) **Margie Green** invited the public to their 13th Annual Wildlife Art Show & Sale on Saturday October 17 and Sunday October 18, 2009, at the Walker House. She said the Art Show features 23 artists; art seminar by one of the artists on Saturday at 10:30 a.m.; Dream Shapers story telling at 12:00 Noon, live wild animals brought in by Wildlife Learning Center, and student art in the Gallery upstairs. She said admission is free.

4) **Margie Green** said the deadline to nominate someone for San Dimas Citizen of the Year is November 23, 2009 and paperwork can be filed with the Chamber of Commerce on behalf of the City.

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

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

(1) **Resolution No. 09-45**, A Resolution of the City Council of the City of San Dimas Approving certain demands for the months of September and October, 2009.

(2) **Resolution No. 09-46**, A Resolution of the City Council of the City of San Dimas, County of Los Angeles, State of California, approving Administrative Penalties.

b. Ordinances read by title, further reading waived, and introduction recommended as follows:

(1) **Ordinance No. 1191**, An Ordinance of the City of San Dimas regarding abatement of nuisance and amending the San Dimas Municipal Code. **FIRST READING AND INTRODUCTION**

c. Approval of minutes for September 22, 2009 regular City Council meeting and September 22, 2009 Special City Council meeting.

- d. Award of Cash Contract No. 2009-010, Swim & Racquet Club Swimming Pool Filter Replacement and Smart Pump Control System Project to California Commercial Pools, in the amount of \$121,700.00.
- e. Award of Cash Contract No. 2009-04, Reconstruction, Rehabilitation & Landscape Median Project on San Dimas Avenue in the City of San Dimas from Foothill Boulevard to Gladstone Street (ESPL-5367 (006) EA No. 07-933288) to Excel Paving Company, in the amount of \$1,827,282.50.
- f. Approval of the revised PAVECO Construction, Inc. Asphalt Maintenance Contract for Asphalt Repairs at Various Citywide Locations.

END OF CONSENT CALENDAR

6. SAN DIMAS REDEVELOPMENT AGENCY

Mayor Morris recessed the regular meeting at 7:18 p.m. to convene a meeting of the San Dimas Redevelopment Agency Board of Directors. The regular meeting reconvened at 7:19 p.m..

7. ORAL COMMUNICATIONS

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

There were no comments.

- b. City Manager

There were no comments.

- c. City Attorney

City Attorney Brown reported that the Pearman escrow closed today, and the City recovered funds which it had advanced in the amount of \$75,000 for the loan made in 1991 for property repairs and recovered an additional \$908 for the participation share.

- d. Members of the City Council

- 1) Councilmembers' report on meetings attended at the expense of the local agency.

Councilmember Templeman reported that he attended the California Contract Cities Fall conference and said a representative from Metropolitan Water District (MWD) presented a complete description of what the real problem is regarding water shortages. He added that MWD and several water purveyors are suing Fish and Game over the analysis they conducted which included the delta smelt going under in part because mussels are coming in on hulls of freighters into the area to eat the delta smelt.

He said another session involved SB 375, Sustainable Planning Strategies, also known as AB32. Discussion centered on how important the General Plan is and Mr. Templeman said the General Plan will be our roadmap to much of SB 375 use and said City staff should not hold off on the General Plan Amendment.

Councilmember Templeman mentioned that Mayor Morris was one of the speakers at the conference regarding the Liability Trust Fund, which is doing a great job of protecting the City against losses. He

added that the Trust is adding training for the Sheriff's Department to prevent claims. He said overall it was a good program.

3) Appointment to Equestrian Commission

Councilmember Templeman said he, Mayor Morris, and Equestrian Commissioner Reiss interviewed three applicants on Monday, September 21 and Tuesday, October 6, 2009 to fill one vacancy on the Equestrian Commission. He said all applicants were outstanding and it was difficult to select just one.

It was moved by Councilmember Templeman, seconded by Mayor Morris, to appoint Rebecca Pike to the Equestrian Commission for a two-year term ending July 31, 2009. The motion carried unanimously.

Councilmember Templeman requested the other two applicants be contacted and invited to attend the Equestrian Commission meetings. He would like them added to the list to be sent agendas.

2) Individual Members' comments and updates.

1) Councilmember Templeman said he met with John Rossfeld, new Chief Executive Officer of San Dimas Community Hospital, and invited him to introduce himself to the community at a future City Council meeting. Mr. Rossfeld agreed and would also like to attend Chamber events to improve outreach.

2) Mayor Pro Tem Bertone said the City Council will reconvene the study session held earlier to consider the renovation of the City Hall, Civic Center Plaza and the Plummer Community Building and to consider the Project Management contract. He said the public will be informed of the City's plans before the final vote takes place. He asked if he can make a motion.

City Attorney Brown said the second point of the discussion was the Agreement and the City Council has not had the benefit of reviewing it in detail. He said City Manager Michaelis suggested making a presentation for the benefit of the public at the next City Council meeting.

City Manager Michaelis said staff completed their report and desire direction to prepare the Agreement to be brought back for ratification on October 27th. He said at the October 27, 2009 meeting he can explain the background of the contract and the bid process schedule. He added that at their February 9, 2010 meeting, the City Council would be making a decision whether or not to accept the bids and spend the funds for the renovation project.

It was moved by Councilmember Bertone to reconvene the study session in the Council Chambers for the benefit of the audience, or postpone discussion until October 27, 2009.

The motion died for lack of a second.

Mayor Morris said questions can be asked and direction given to the City Manager to prepare the Agreement; however, the contract is not binding until it comes to the City Council for a specific vote. In addition, a presentation will be made at that meeting by the City Manager on financial matters regarding the need, design, and costs of the project.

Councilmember Templeman stated that the public should be made aware of the crowded conditions at the employees' work stations.

8. ADJOURNMENT

Mayor Morris adjourned the meeting at 7:41 p.m. to reconvene the study session. The next meeting is on October 27, 2009, 7:00 p.m.

Respectfully submitted,

Ina Rios, CMC, City Clerk