



MINUTES
REGULAR CITY COUNCIL
TUESDAY, OCTOBER 27, 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 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
Recreation Coordinator Tanya Orr

ABSENT:

Councilmember John Ebiner

1. CALL TO ORDER AND FLAG SALUTE

Mayor Morris called the meeting to order at 7:03 p.m. and led the flag salute.

2. INTRODUCTIONS

- John Rossfeld, CEO San Dimas Community Hospital

John Rossfeld introduced himself and said he is the new Chief Executive Officer at San Dimas Community Hospital. He is excited at the opportunity to serve the community and said the hospital is prepared to deal with the H1N1 crisis.

3. ANNOUNCEMENTS

- Halloween Carnival, Costume Contest and Haunted Hall on Saturday, October 31, 2009

Recreation Coordinator Tanya Orr invited everyone to the Halloween Carnival on Saturday, October 31, 2009, in the Civic Center Plaza, from 5:30 p.m. to 8:30 pm. She said there will be a DJ, Haunted Hall, refreshments, game booths, and a costume contest for children to adults. Additional information is available at the Parks and Recreation Department at (909) 394-6230.

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

Pui-Ching Ho, Library Manager, San Dimas Library, encouraged children to participate in a variety of Halloween art projects on Saturday, October 31 and invited students K-12, to enter the Bookmark contest. Other activities include the Book Party on November 2, Teen Advisory Board Meeting on November 7, Flower arrangement lessons on November 14, and reptiles on November 21, 2009. For more information, call the Library at (909) 599-6738 or access their website www.co.la.publib.org.

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, announced that as part of the Halloween Fest, Downtown Merchants invited children to Trick or Treat on Saturday, October 31, at 3:30 p.m. and encouraged them to sign up for a raffle drawing for cash prizes.

2) **Mr. Powl** said the Chamber is accepting nominations through November 20, 2009 for 2010 Citizen of the Year, open to any resident in San Dimas who has made significant contributions to the community. Nomination forms are available at the Chamber and City Hall.

3) **Mr. Powl** said the annual Christmas Tree Lighting ceremony will be held at 6:00 p.m. on December 2, 2009. He said Mayor Morris and Lil Miss San Dimas will light the tree and proceeds from the sale of Santa hats will go to Meals on Wheels. He invited children and parents to walk with Santa Claus as he comes down Bonita Avenue toward the Christmas Tree.

4) **Bob Scofield** felt it was inappropriate for the City to adopt the Recreation Vehicle ordinance and said it is a burden for RV owners to pay storage fees.

5) **Art Schlade** registered his disapproval for the RV ordinance and said it is unfair to initiate this proposal at this time.

Mayor Morris reminded the public that pursuant to the Brown Act, the City Council is prohibited to respond to anything not on the agenda.

6) **Sharon Kelly** said her husband is in ill health and they are experiencing financial problems, which makes it difficult to pay for storage for their motorhome. She mentioned that a neighbor commented she's glad that the RV is there because it blocks the view of the Church at Valley Center and Cienega.

7) **Paul Calderon** said it is a burden to pay the storage fee for his boat.

8) **Mark LeRoux** said the RV Ordinance is going to impact a lot of people who built up for retirement. He opposes the ordinance.

9) **Gary Enderle** said to honor San Dimas Veterans, San Dimas HEROES will be hosting a Veterans Appreciation Reception on Saturday, November 14, 2009, from 1:00 to 3:00 p.m., at Atria Rancho Park, 801 Cypress Way. RSVP is due by November 10, 2009. Information will be posted on their website www.sandimasheroes.org. or call (909) 599-7566.

10) **Gil Medina** said the RV Ordinance is unfair and he is registering his opposition since it will create a hardship for his family to pay parking fees.

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 or audience requests separate discussion.)

It was moved by Mayor Pro Tem Bertone, seconded by Councilmember Badar, and carried unanimously by those present, Councilmember Ebner was absent, 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. 09-47**, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN DIMAS, CALIFORNIA, APPROVING CERTAIN DEMANDS FOR THE MONTH OF OCTOBER, 2009.
 - (2) **RESOLUTION NO. 09-48**, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN DIMAS, CALIFORNIA, AUTHORIZING LINCOLN FINANCIAL ADVISORS TO CREATE A PLAN DOCUMENT FOR CITY OF SAN DIMAS DEFERRED COMP RETIREMENT PLAN #3121 FOR PART TIME EMPLOYEES.
 - (3) **RESOLUTION NO. 09-49**, A RESOLUTION APPROVING THE FORM OF AND AUTHORIZING THE EXECUTION AND DELIVERY OF A PURCHASE AND SALE AGREEMENT AND RELATED DOCUMENTS WITH RESPECT TO THE SALE OF THE SELLER'S PROPOSITION 1A RECEIVABLE FROM THE STATE; AND DIRECTING AND AUTHORIZING CERTAIN OTHER ACTIONS IN CONNECTION THEREWITH.
- b. Ordinances read by title, further reading waived, passage and adoption 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. **SECOND READING AND ADOPTION**
- c. Approval of minutes for regular City Council meeting of October 13, 2009 and special City Council meeting of October 13, 2009.

END OF CONSENT CALENDAR

6. OTHER MATTERS

- a. Presentation regarding a project to renovate and expand City Hall, the Civic Center Plaza and the Stanley Plummer Community Building. The purpose is to explain the project to the public and respond to questions.

Three presentations were advertised and meeting information was placed on the City's website, on display boards in the city hall lobby, cable television, and a press release to the media. For the record, the following attended the 2:00 p.m. and/or 6:00 p.m. presentation: Mayor Morris, Councilmembers Badar and Templeman.

City Manager Michaelis provided a Powerpoint presentation of the original city hall building which was constructed 40 years ago and said the number of employees has tripled and services to the public have doubled. He said a Space Needs Analysis was conducted to address changing building code requirements, ADA requirements, needed work stations, storage, existing and future needs, utilities and technological advancements in an aging building.

Mr. Michaelis explained the process beginning with the architect who prepared the plans to renovate the city hall, civic center plaza and the Plummer community building and the project manager who will administer and evaluate the bid process and manage the project, controlling costs through design, construction, and final completion. Mr. Michaelis said the guaranteed maximum price for the entire plan is \$13,034,000, excluding architectural services. He provided estimated costs for each of the three independent portions of the project: \$9,251,000 for the city hall renovation and expansion; \$2,634,000 for the Plummer community building expansion, and \$1,149,000 for the Civic Center Plaza. Mr. Michaelis said the City has a stable financial status and a broad array of financial options to draw from. He provided a timetable of the project starting with the City Council's acceptance of the Guaranteed Maximum Price at their November 10, 2009 meeting; bids due January 27, 2010 are to be awarded on February 23, 2009, and construction scheduled to commence in March 2010 and completed in March 2011. He is available for questions.

In response to **David Harbin**, Mr. Michaelis replied that about \$150,000 was received in energy efficiency funds; however, no other sources of funds are available at any other level of government. He added that staff is exploring options to relocate city hall during the renovation. He said an existing storefront building may be available and as a backup plan, the city owns property where temporary facilities can be located if staff is unable to find a suitable site to rent.

In response to **Ted Powl**, Mr. Michaelis said the existing building was retrofitted in the mid-1990's to address earthquake issues.

In response to audience members, Mr. Michaels said staff does not anticipate the loss of parking for senior programs which will continue as scheduled. He said the project also includes the renovation of the parking lot and additional parking will be available on First Street and Bonita Avenue, which will be made ADA accessible. He added that if the city decides to borrow money for a portion of the project, those financing costs would be added to the construction costs. He said the city's reserves are not standard to measure; and the city has 28 funds, some of which have separate reserves to provide a cushion for annual business operations.

Mr. Michaelis further responded that it is prudent to use a portion of the city's cash reserves and finance a portion to pay for the project. It is anticipated that the overall project will take approximately 12 months and the building will be vacated to allow the contractor time to perform the work as efficiently as possible.

In response to **Sid Maksoudian**, Mr. Michaelis stated that uncommitted funds are set aside in anticipation of economic downturns and state budget issues to be able to meet all service obligations. He said the concept is that even if the city reserves are applied, there are other fund sources available to address issues.

Mayor Morris mentioned that the City has substantially more reserves in indebtedness from the Redevelopment Agency and the Redevelopment Agency has a stream of income which could be bonded.

Mr. Michaelis explained that the city is owed \$16 million to be repaid over 20-25 years to the City's general fund. He said the reason the general fund lent the Redevelopment Agency money is 1) the SDRA is a good investment paying 5.5% on funds; 2) the cost to borrow money is higher than 5.5% and the Redevelopment Agency can borrow for a lower rate for redevelopment projects. He said with debt owed there is an overall position of \$32-33 million, plus money set aside in other funds that could be drawn upon. He added that the Senior Citizens/Community Center will be repaid in two years, and those set aside funds will be invested and be available to sustain services, if necessary.

Mr. Michaelis responded that general fund dollars are allocated into other funds dedicated for specific purposes such as street projects.

In response to Mayor Pro Tem Bertone, City Manager Michaelis said the City Council will consider the Guaranteed Maximum Price at their November 10, 2009 meeting. At that point, the project will be prepared for bid by Griffin Structures, Inc. and on February 23, 2010, the City Council will decide whether or not to award the bid.

In response to Ted Powl, Director Bruns replied that staff is exploring partnership opportunities with churches, schools, and mobilehome parks for the Parks and Recreation programs.

City Manager Michaelis said city hall can be contacted for additional information. The number is (909) 394-6210.

7. SAN DIMAS REDEVELOPMENT AGENCY

Mayor Morris recessed the regular meeting at 8:45 p.m. to convene a meeting of the San Dimas Redevelopment Agency Board of Directors. The regular meeting reconvened at 8:46 p.m..

8. ORAL COMMUNICATIONS

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

1) **Art Schlade** expressed a concern with the Municipal Code of 1961. He indicated that at the time it was enacted, there was no terminology of Recreation Vehicles. His house was built in 1954 and does not have sidewalks or sewer, however, it has an RV parking lot with a chain link fence. He inquired how his RV can be grandfathered in.

2) **James Martin** said the law has not been enforced in 48 years which basically approves parking trailers and boats in the front yards. He indicated that his trailer is not visible since he lives in a cul de sac. He thought two months was insufficient time to sell his home or his RV and storage costs were absurd.

- 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 City.

- 2) Individual Members' comments and updates.

1) Councilmember Templeman thanked City Manager Michaelis for the fantastic presentation on the city hall, civic center, Plummer building project.

2) Councilmember Badar said the issue of city hall renovation project has been ongoing for two years and the City Manager has had several public meetings for public input and public outreach.

- 3) Councilmember Badar said he attended Councilmember Ebner's mother's funeral today and Councilmember Ebner appreciated all our prayers.
- 4) Mayor Pro Tem Bertone said last Sunday he attended Tsu Chi's 20th anniversary celebration. He said the Tsu Chi is a Buddhist organization that took over the Baptist College and it was a privilege to work with them.
- 5) Mayor Pro Tem Bertone said today, the City hosted an Open Space Summit sponsored by the Council of Governments (COG) and Rivers Mountains Conservancy (RMC). The objective was to inform cities how to get grant funds. The RMC has, over the past ten years, issued over \$100 million in grants and Los Angeles County has over \$250 million to spend for open space.
- 6) Mayor Pro Tem Bertone said Friday's paper had a confusing article regarding the Gold Line that gave the impression that the Gold Line would be funded or completed by 2017. Mr. Bertone clarified that every type of transportation project has to be approved by the Metropolitan Transportation Authority (MTA) and although the San Gabriel Valley pays taxes, they are not approved for transportation money. As a representative on the Gold Line Joint Powers Authority (JPA), Mr. Bertone asked Habib Balan, CEO of Construction Authority to call a meeting of the JPA with the MTA and Congressman Adam Schiff, and if it is held within the next two weeks, he can report at the next City Council meeting whether or not the project will start or finish in 2017.

9. ADJOURNMENT

Mayor Morris adjourned the meeting at 9:00 p.m. in memory of Paula Henrietta Ebner. The next meeting is on Monday, November 2, 2009, at 5:00 p.m. for the Fall City Council/Staff Retreat in the City Council Conference Room.

Respectfully submitted,

Ina Rios, CMC, City Clerk