



AGENDA
REGULAR CITY COUNCIL /
REDEVELOPMENT AGENCY MEETING
TUESDAY, NOVEMBER 24, 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

1. CALL TO ORDER AND FLAG SALUTE

2. ANNOUNCEMENTS AND PRESENTATIONS

- Southern California Association of Governments - Hassan Ikhrata, Executive Director and Paula Lantz Executive Board member
- Annual Holiday Fest Celebration on December 5, 2009, Civic Center Park
- 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 requests separate discussion.)

- a. Resolutions read by title, further reading waived, passage and adoption recommended as follows:
 - (1) **Resolution No. 09-52**, A Resolution of the City Council of the City of San Dimas, California, approving certain demands for the month of November, 2009.
- b. Approval of minutes for the regular City Council meeting of November 10, 2009 and City Council/Staff Retreat of November 2, 2009.
- c. Award to Grigolla and Sons, Inc., in an amount not to exceed \$130,000.00, for Cash Contract 2009-11 Concrete Maintenance Project - Various City-wide Locations.

- d. Approval to close Monte Vista Avenue, north of Allen Avenue for placement of student classrooms from December 2009 through August 2010, for the modernization of Chaparral High School and Ed Jones Education Center.

END OF CONSENT CALENDAR

5. PLANNING/DEVELOPMENT MATTERS

- a. Deferral of plan check fees for Loma Bonita Residences, an affordable housing project to be located on the northwest corner of East Bonita Avenue and San Dimas Canyon Road.

6. OTHER MATTERS

- a. Request from Waste Management for annual rate increase of 2.56% for residential and commercial services.
- b. Authorization to enter into a Lease Agreement with R & W San Dimas, LLC for property at 186 Village Court to be used as temporary city hall facilities.

7. 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 November 10, 2009 meeting
- c. Executive Director
 - 1) Approval of the SDRA Annual Audited Financial Statements and State Controller's Report.
- d. Members of the Agency

8. 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.

9. ADJOURNMENT

The City Council will next meet on Tuesday, December 8, 2009, 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.

POSTING STATEMENT: ON NOVEMBER 20, 2009, A TRUE AND CORRECT COPY OF THIS AGENDA WAS POSTED ON THE BULLETIN BOARDS AT 245 EAST BONITA AVENUE (SAN DIMAS CITY HALL) 145 NORTH WALNUT AVENUE (LOS ANGELES COUNTY PUBLIC LIBRARY, SAN DIMAS BRANCH); AND 300 EAST BONITA AVENUE (UNITED STATES POST OFFICE) AND AS A COURTESY, AT THE VONS SHOPPING CENTER (Puente/Via Verde) AND THE CITY'S WEBSITE AT www.cityofsandimas.com.

RESOLUTION NO. 09-52

A RESOLUTION OF THE CITY COUNCIL OF THE
CITY OF SAN DIMAS, CALIFORNIA, APPROVING
CERTAIN DEMANDS FOR THE MONTH OF
NOVEMBER 2009

WHEREAS, the following listed demands have been audited by the Director of Finance;
and

WHEREAS, the Director of Finance has certified as to the availability of funds for
payment thereto; and

WHEREAS, the register of audited demands have been submitted to the City Council for
approval.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of San Dimas
does hereby approve Warrant Register: 11/30/09; 129153 through 129305; in the amount of
\$773,233.42.

PASSED, APPROVED AND ADOPTED THIS 24th DAY OF NOVEMBER, 2009.

Curtis W. Morris, Mayor of the City of San Dimas

ATTEST:

Ina Rios, CMC, City Clerk

I HEREBY CERTIFY that the foregoing Resolution was adopted by vote of the City
Council of the City of San Dimas at its regular meeting of November 24, 2009, by the following
vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

Ina Rios, CMC, City Clerk

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***THE WARRANT DISBURSEMENT
JOURNAL IS NOT AVAILABLE TO
VIEW THROUGH LASERFICHE***

***A PAPER COPY IS AVAILABLE IN THE
FINANCE DEPARTMENT***

SORRY FOR ANY INCONVENIENCES.

DOCUMENT IMAGING DEPT.



MINUTES
REGULAR CITY COUNCIL
WEDNESDAY, NOVEMBER 10, 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 regular meeting to order at 7:05 p.m. and led the flag salute.

2. RECOGNITIONS

- Mitchell Montenegro, National Junior Olympics 10 and under Gold Medal Champion

Mayor Morris read and presented a certificate recognizing Mitchell Montenegro, the San Dimas member of the 10-and-under water polo team at Foothill Club that had a successful turnout at the National Junior Olympics in Atherton, California, on August 28, 2009. After a series of wins, the Team won a gold medal in its age group. Mayor Morris congratulated Mitchell for his amazing job coming in off the bench in some very tight games.

- Presentation of banners to military personnel recently discharged from active duty in the Armed Forces.

In deep appreciation of their extraordinary commitment and service to our nation and the citizens of San Dimas, Mayor Morris presented certificates of recognition to military persons who were recently discharged from service: **Jeffrey Horner**, United States Marine Corps; **Andrew Legolvan**, United States Navy; **Luke Orrin**, United States Marine Corps; and to Mrs. Bratt, mother to **Jeff Bratt**, United States Navy. **Eric Leos**, United States Army, was unable to attend the ceremony.

Gary Enderle and **Janie Graef**, San Dimas H.E.R.O.E.S. representatives, presented to **Jeffrey Horner**, United States Marine Corps; **Andrew Legolvan**, United States Navy; **Luke Orrin**, United States Marine Corps; and to Mrs. Bratt, mother to **Jeff Bratt**, United States Navy, a banner that was displayed on San Dimas Avenue. He thanked the City Council and staff for the great support and said Wednesday, November 11, 2009, is Veterans Day and Applebee's is offering military members and veterans a free meal.

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- County of Los Angeles "Brag About Your Bag" campaign

Mayor Morris said the City of San Dimas has joined with the County of Los Angeles to support "Brag About Your Bag" campaign urging shoppers to reduce the number of single use bags in favor of reusable bags.

3. ANNOUNCEMENTS

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

Pui-Ching Ho, Library Manager, San Dimas Library, announced and congratulated winners of the annual Bookmark contest and said their artwork will be displayed in the Library. She encouraged parents to bring children 5-8 to the Library and get a canvas bag. Activities offered at the Library include: Free English Conservation Practice Program; Flower arrangement; Teen Book Club and Student Union; Special program on reptiles; and the Book Party - Book for December is *Angle of Repose*, by Wallace Stegner. 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, said the annual Christmas Tree Lighting ceremony will begin at 6:00 p.m. on December 2, 2009, at the San Dimas Train Depot on Bonita Avenue/Monte Vista. Accompanying music by Ed Wolfe and cookies will be provided by Soroptimist International of San Dimas/La Verne. He invited participants in escorting Santa along the sidewalk at San Dimas Avenue. Santa will be joined by Mayor Morris and Lil Miss San Dimas in lighting the tree. Children who visited the Downtown Merchants will be eligible for cash drawings and the winner will be announced. Santa hats will be available for \$2 and the proceeds will go to Meals on Wheels.

2) **Breanna Celaya**, ASB President, San Dimas High School, thanked the City Council and Downtown Merchants for supporting their Homecoming Parade. She highlighted the athletic games schedule and thanked the military personnel who serve our country to give us freedom.

3) **Mike Kelly**, San Dimas High School Principal, thanked the City Council and staff for supporting their Homecoming Parade. He said students had a great time.

4) **Paul Kirby** praised everyone who participated in the city hall expansion project. He said the project is long overdue and issues need to be addressed.

5) **Norm Wiles** echoed Mr. Kirby's comments and said he appreciated efforts for the renovation of city hall. It is a worthwhile project and hopes everyone is behind the project.

6) **Margie Green**, Festival of Arts, invited the community to join the Festival of Arts at the Walker House on November 13, 14, and 20, 21, between 5:00-9:00 p.m., for Colorfields of Abstraction featuring

Artist Ken Sheffer. She added that Saffrons is now open and the San Dimas Historical Society is celebrating their grand opening on November 20th.

7) **Bill Emerson**, San Dimas Historical Society, said November 14th is the second Saturday of House Tours; next Friday, November 20, the Historical Society will open the museum upstairs in the north wing of the Walker House. The ribbon cutting is at 4:30 p.m. and the museum will be open until 9:00 p.m. Saturday and Sunday. On December 6, the Pomona Valley Hospital Auxiliary included the Walker House in the home tours.

8) **Tim Rowe**, President, Little League, announced the 53rd season of San Dimas Little League. Registration is being held on Saturday, November 14, 2009 from 10:00 a.m. until 5:00 p.m. Opening Day is March 6, 2010 and registration forms are available at sandimaslittleleague.com. He thanked Director Bruns and her staff for the new season contracts which helps them go forward. He announced that the Little League is undertaking a Challenge Division for Autistic children. For additional information, call (909) 599-8482.

9) **Bill Armstrong** voiced his support for the proposed Veterans Monument off San Dimas Avenue. He said this is a very visible important sign that will be of value to the City. He thanked the City Council for safeguarding our quality of life.

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.)

Councilmember Ebner said he was absent at the last meeting and would abstain from approval of the Minutes.

It was moved by Mayor Pro Tem Bertone, seconded by Councilmember Badar, and carried; with the abstention of Councilmember Ebner on item 5.b, 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) Consider approval of Warrant Register.
RESOLUTION NO. 09-50, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN DIMAS, CALIFORNIA, APPROVING CERTAIN DEMANDS FOR THE MONTHS OF OCTOBER AND NOVEMBER, 2009.
 - (2) Establishing Engineering Fees:
RESOLUTION NO. 09-51, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN DIMAS CALIFORNIA, ESTABLISHING FEES FOR FILING CERTAIN APPLICATIONS OF ENGINEERING FEES AND SIMILAR MATTERS.
- b. Approval of minutes for the regular City Council meeting of October 27, 2009.
- c. Annual approval of amendments to Personnel Rules and Regulations

END OF CONSENT CALENDAR

6. OTHER MATTERS

- a. Request from San Dimas HEROES - City Council direction regarding their proposal to place a Veterans Memorial on the open area along San Dimas Avenue just east of the Park and Ride lot, north of Commercial Street.

City Manager Michaelis said this item is before the City Council for an initial reaction of the potential location for the Veterans monument. He said as San Dimas H.E.R.O.E.S. goes through the fundraising process, they would like to provide the location and design to potential donors. The Committee is requesting 18 months to allow them to explore support for the project at that location. If they are unable to secure sufficient response and support, they will withdraw the request. If sufficient support comes forward, they will proceed with the details of the project through the City's review process and return to the City Council for final approval.

Janie Graef, San Dimas H.E.R.O.E.S. representative, invited all Veterans to the Veterans Appreciation Reception to be held Saturday, November 14, 2009, from 1:00 p.m. to 3:00 p.m., at Atria Rancho Park. She said before the City Council is a general request that will enable the Committee to go forward with the Monument aspect of their program. She stated that the Committee is aware of a myriad of issues that need to be addressed, however, they are committed to constructing a Veterans Memorial that will make San Dimas proud. She said the true purpose of the Memorial is to honor the people who have served our country and fought for our freedom and way of life we all enjoy. She added that San Dimas has been home to thousands of Veterans from those who served in the Civil War to current heroes. She shared the history of three prominent San Dimas Heroes and said it is the Committee's goal to construct a Veterans Memorial to honor all Veterans.

Honorable Tom Nuss said he understands the City Council received material not only from staff but the HEROES organization and he would be happy to answer any questions.

Mayor Morris said Mr. Nuss served on the San Dimas City Council, is a retired Judge, and served in the Marine Corps with a distinguished service career.

Honorable Nuss respectfully requested that the City Council give initial consent to allow the Committee 18 months to develop a permanent Memorial to be constructed at the proposed location, subject to the City's review process.

Mayor Morris invited participation by the community. He said the proposal is for a Veterans Memorial in the open area to the southeast of the Park and Ride Lot, north of Commercial Street. There being no one wishing to speak, the matter was opened for Council's discussion and decision.

Mayor Pro Tem Bertone stated his supported for the proposed site.

Councilmember Badar supported the fact that the concept was to construct a community Memorial honoring all Veterans. He thought it a good idea that community organizations joined together to support this vision. He supports an 18-month time frame to allow the Committee to explore support for the project.

Councilmember Ebner supports the idea and expects staff to work with the Committee and bring back status reports.

Councilmember Templeman is very supportive of the location. He is open to discussion related to the design issues.

It was moved by Mayor Pro Tem Bertone, seconded by Councilmember Badar, to extend 18 months to San Dimas H.E.R.O.E.S. to plan a permanent monument to be constructed at the proposed location, subject to the City's review process, with no expectation or guarantee of approval. The motion carried unanimously.

- b. Renovation and expansion of the City Hall, Civic Center Plaza, and Stanley Plummer Community Building:
 - 1) Approve a Project Management Agreement with Griffin Structures Inc. to proceed with the process to secure competitive bids for this project. Authorize City Manager to execute said Agreement and issue notice to proceed. The Agreement for professional services is in an amount not to exceed \$775,000 - this expense is included within the proposed Guaranteed Maximum Price established for this project. Council consideration for awarding the bids to complete this project is tentatively scheduled for February 23, 2010.

City Manager Michaelis provided a brief history of the relationship with Nestor+Gaffney Architects and Project Managers Griffin Structures, Inc. as they move through the design elements. He presented the Project Management Agreement with Griffin Structures, Inc. to proceed with the process to secure competitive bids for the renovation and expansion of City Hall, Civic Center Plaza and Stanley Plummer Community Building project. He explained this approach for the benefit of the public and indicated that although this process differs from the traditional process for constructing public improvements, it has been utilized by a number of General Law Cities in the construction of similar Civic Center public improvements. Mr. Michaelis said bid recommendations would come before the City Council on February 23, 2010 for final consideration and approval. He said available tonight to answer questions are representatives from Griffin Structures, Inc. and Nestor+Gaffney Architects.

In response to Councilmember Templeman, City Manager Michaelis replied that 40% of the project cost is tied to code improvements and dealing with challenges of a 40-year old building. The balance represents additions and improvements to the Stanley Plummer Community Building and the Civic Center Plaza.

In response to Councilmember Ebner, City Manager Michaelis said if the City Council approves the Agreement tonight, staff will continue fine tuning the financing plan for Council's consideration and approval on February 23, 2010. Mr. Michaelis added that February 23, 2010 is the date of award of bid and the construction schedule is approximately 12 months once the building is vacated in March 2010.

In response to Councilmember Templeman, Director of Development Services Coleman clarified that the contract states if there are change orders that require City Council approval, the change orders would be brought to Council as the approving authority. Mr. Coleman qualified that the reason for this particular project delivery method is to minimize change order requests. He said by using the Guaranteed Maximum Price (GMP), Griffin Structures, Inc. and Swinerton Builders, Inc. are guaranteeing that the City's expense does not exceed the GMP and change orders are covered.

At the request of Mayor Morris, City Attorney Brown explained the traditional process for constructing public improvements. He said for this project, staff is recommending a different process, the Program Manager@Risk with a Guaranteed Maximum Price. This was initially discussed and was Phase II of the Agreement which the City approved in July 2008 with Griffin Structures, Inc. for this project. It is a process that has been utilized by a number of General Law Cities in constructing various municipal public facilities similar to those in this project. The City Manager and staff have visited some of these completed facilities and have spoken with other City Managers and Public Works staff members. Those other City Managers said that the Project Manager@Risk process resulted in completed projects in a timely manner, with minimum change orders and with savings to those cities. Mr. Brown said that he has been working with Griffin Structures, Inc. on prequalification documentation for all of the various subtrades. When completed, these will form the basis upon which bids would be received, publicly opened, and after review, recommended to the City Council for award at the City Council meeting in February. He added that the Agreement before the City Council has been the subject of considerable discussion and revision with Griffin Structures, Inc.. This agreement has been utilized by other General

Law Cities for various similar Civic Center projects. Mr. Brown further stated that Griffin Structures, Inc. has agreed to defend and indemnify the City against any challenge to this process or the Agreement.

It was moved by Councilmember Badar, seconded by Councilmember Templeman, to approve the Project Management Agreement with Griffin Structures, Inc. to proceed with the process to complete the competitive bidding process and if the bids are awarded, to perform project management services through the completion and final acceptance of the project.

Mayor Pro Tem Bertone praised the Architect's excellent design; however, he is going to vote against this project. Although he thought expanding the city hall was appropriate, he did not think the city population would grow further and he could not justify spending between \$13 million to \$24 million for the project.

Councilmember Templeman said the Plaza is in dire need of repairs and the remodel to the Stanley Plummer Community Building will make it a more useable space that will benefit the community. Councilmember Badar said the bidding process is more cost effective at this time and he felt it is the right time to move forward with this project.

Councilmember Ebner said financing is a concern that was discussed by the City Council at various meetings. He felt that in addition to making the building green and more efficient, making necessary improvements, connectivity with respect to communications and computers, and giving employees adequate space to perform their duties allows them to better serve the community. He said service to the community is paramount from any site. He will support the project.

Mayor Pro Tem Bertone said he is in favor of enlarging the building, making improvements, and addressing ADA concerns; however, he felt the project could be completed for approximately \$6 million.

Mayor Morris said this is an investment in one of our major resources and he supports the motion. He said staff has gone about this in a prudent manner and reserves have been accumulated to be able to construct projects like this as well as other projects. He added that funds are spent when absolutely necessary.

Councilmember Templeman explained that while inconvenient and frustrating, moving out of the city hall would save approximately five months of contractor logistics and roughly \$400,000 in costs.

The motion carried by the following vote:

AYES: Councilmembers Badar, Ebner, Templeman, Morris
NOES: Mayor Pro Tem Bertone
ABSENT: None
ABSTAIN: None

c. Approval of the City's Annual Independent Audited Financial Statements.

Ken Duran said members of the Finance/Audit Committee met with Auditor Don Parker from Lance, Soll & Lunghard to discuss the annual audit and the financial statements. Pursuant to the Auditor's report on Internal Control over Financial Reporting and on Compliance and other matters based on an audit of financial statements performed in accordance with Government Auditing Standards, they did not identify any deficiencies in the City's internal controls or any material weaknesses, and results of tests performed disclosed no instances of noncompliance.

It was moved by Mayor Pro Tem Bertone, seconded by Councilmember Badar, to approve the City's Annual Independent Audited Financial Statements. The motion carried unanimously.

- d. Approval and appropriation of up to \$20,500 funding for Puente Street/Avenida Monte Vista Landscape Improvements and License Agreement.

Public Works Director Patel reported that it was the consensus of the City Council to enhance the entry to the Avenida Monte Vista/Avenida Loma Vista neighborhood. The City Council approved the relocation of the existing chain link fence between 3-4 feet back into Via Verde Country Club property and to landscape the strip. Mr. Dal Lee, owner of Via Verde County agreed to have the fence moved back and provide necessary irrigation to the strip, contingent upon the City agreeing to maintain and pay for associated improvements. Staff provided three options for Council's consideration:

Option A - appropriate \$15,500 from Infrastructure Funds to relocate and reinstall existing chain link fence and landscape;

Option B - Appropriate \$20,500 from Infrastructure Funds to replace, relocate, and reinstall with green vinyl fencing as necessary and complete landscape;

Option C - Appropriate \$3,000 from Infrastructure Funds to complete minimum landscape between existing chain link fence and back of sidewalk.

Mayor Pro Tem Bertone said he would support any of the three options; however, Option "B" would be his first preference.

Councilmember Templeman said he suggested and supports the green vinyl fence and anticipates in phase II some type of entry sign.

Assistant City Manager of Community Development Stevens said the sign is part of the wayfinding discussion listed in the study session agenda.

In response to Council, Director Patel said the irrigation system will be installed and maintained by the City and added that Mr. Dal Lee has agreed to provide the necessary water for irrigation at his expense.

It was moved by Mayor Pro Tem Bertone, seconded by Councilmember Badar, to approve Option B - Appropriate \$20,500 from Infrastructure Funds to replace, relocate, and reinstall with green vinyl fencing as necessary and complete landscape. The motion carried unanimously.

7. SAN DIMAS REDEVELOPMENT AGENCY

Mayor Morris recessed the regular meeting at 8:38 p.m. to convene a meeting of the San Dimas Redevelopment Agency Board of Directors. The regular meeting reconvened at 8:39 p.m..

8. ORAL COMMUNICATIONS

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

- 1) **Ed Gable** thanked the City Council for approving the Puente Street/Avenida Monte Vista Avenue Landscape improvements.

- 2) **Sid Maksoudian** thanked the City Council for their vision in approving the long overdue renovation of the city hall building.

b. City Manager

City Manager Michaelis announced that the *Call the Mayor* show will be broadcast live from city hall at 7:00 p.m. on Thursdays, beginning November 12th.

c. City Attorney

There were no comments.

d. Members of the City Council

Mayor Morris said the study session on downtown matters would reconvene after adjournment of the regular meeting and at the conclusion of the study session, the City Council would convene in closed session.

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

Councilmembers Badar and Templeman attended a meeting of the California Joint Powers Insurance Authority on October 28-30, 2009, in San Francisco, at the expense of the City.

1) Councilmember Templeman reported that in addition to examples of liability cases, he appreciated the mock trial with a jury presented by the City's Litigation Attorney Scott Grossberg.

2) Councilmember Badar said he has a better understanding of the court system with respect to cases settled out of court and a deeper appreciation for attorneys.

3) Mayor Morris stated he also attended the session but the only expense of the City was the cab fare and tickets on BART transportation.

2) Individual Members' comments and updates.

1) Councilmember Templeman said a caller expressed satisfaction with services by Field Inspector Myskewitz.

2) On behalf of his family, Councilmember Ebner thanked the Mayor, City Council, City staff and members of the community for their words of kindness in memory of his mother.

3) Councilmember Badar said tonight with the attendance of Veterans, tomorrow being Veterans Day, and today being the Marine Corps. Birthday, he received an article from a Marine magazine that he would like to share. He read that Seaman Jarrett D. Wilson, U. S. Marine Corps., knew he could find himself in the position of saving lives, however, he did not expect that it would be Afghan lives. Mr. Badar said Jarrett is a 21-year old San Dimas resident who, as he was maneuvering down a roadway looking for terrorist bombing, ran across a traffic accident which involved nine family members in one vehicle, two of which were dead, and went into action to rescue and protect the family members. Mr. Badar said Jarrett's banner is flying on San Dimas Avenue.

4) Mayor Pro Tem Bertone had three items for discussion:

a) He said the MTA must put any project that comes to Southern California into a long range plan and a couple of weeks ago, the MTA put the Foothill Gold Line on their long range plan. He said funds would come from Measure R. He said Phase I of the plan would go from Pasadena to Azusa and construction is expected to start in June 2010. He said the MTA also agreed to operate a line that would go from Azusa to Montclair, but did not pledge any money, however, directed their staff to research fund sources. The second phase, which includes San Dimas, means they would start an Environmental Impact Report in January 2010 and staff needs to nail down the location for the Gold Line if San Dimas plans to be involved.

b) The City participates in the Yellow Bus Program that busses elementary school students to the County Fair. \$5,000 comes from Proposition A Funds; however, the Committee was able to raise more than enough money to cover expenses and City funds were not used.

c) The Governor put a Bond issue on the next November State Ballot for a Water bond, but did not earmark any money for the San Gabriel Valley. Through the Council of Governments (COG) Board Members were able to get Assembly Members and State Senators to earmark \$75 million for water projects of the Rivers Mountain Conservancy, which includes the San Gabriel Valley. He added that this does not mean the COG endorses the Bond, but if the Bond is approved, the San Gabriel Valley will get its fair share of funds.

5) Mayor Morris commented that a unanimous vote is not necessary for the city hall renovation project. He commended Mayor Pro Tem Bertone for giving his absolute consideration and deciding and voting the way he felt was proper.

9. CLOSED SESSION

On advice of the City Attorney, Mayor Morris stated that the closed session would be held first and convene in five minutes. Upon conclusion, the study session would reconvene.

Recess to a City Council closed session pursuant to Government Code Section 54956.8:

CONFERENCE WITH REAL PROPERTY NEGOTIATOR

- a. Property: 186 Village Court, San Dimas
Negotiating Parties:
For City: Blaine Michaelis, City Manager, Ken Duran, Assistant City Manager, and J. Kenneth Brown, City Attorney.
For Property: Dan Samulski
Under Negotiation: Commercial building to be used for temporary relocation of city hall during city hall renovation.

- b. Report on Closed Session items

The City Council instructed staff to negotiate with property owner relative to a lease and to return to the City Council with a budget for relocation costs.

10. ADJOURNMENT

Mayor Morris adjourned the meeting at 9:08 p.m. Next meeting is on Tuesday, November 24, 2009, at 7:00 p.m.

Respectfully submitted,

Ina Rios, CMC, City Clerk



**CITY OF SAN DIMAS
MINUTES**

**COUNCIL – STAFF RETREAT SESSION
NOVEMBER 2, 2009 5:00 P.M. - 10:00 P.M.
CITY COUNCIL CONFERENCE ROOM**

PRESENT:

Mayor Curtis W. Morris (arrived at 5:12 p.m.)
Mayor Pro Tem Denis Bertone
Councilmember Emmett Badar
Councilmember John Ebiner (arrived at 6:01 p.m.)
Councilmember Jeff Templeman
City Manager Blaine Michaelis
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
San Dimas Sheriff's Captain Joe Hartshorne

ABSENT:

City Attorney J. Kenneth Brown

CALL TO ORDER

Mayor Pro Tem Bertone called the meeting to order at 5:08 p.m.

COMMENTS

There were no comments.

1. Updates (written reports – council to ask questions or discuss as desired – some matters will require council direction):

- a. RV, trailer, etc. enforcement – report on our administrative plan of action and schedule. Answer any questions.

City Manager Michaelis reported that staff is moving through the process to implement enforcement procedure outlined to the City Council on June 30, 2009 and notify residents of the new procedures.

Director Coleman said street address errors were corrected on the mailing list, and a more focused survey will be conducted this month; notices will be left on the recreation vehicles; and staff will follow-up with a letter.

Councilmember Templeman stated his preference is an administrative review.

-
- b. Special Projects status report – review of what is ready for consideration, schedule for the rest of the projects.

Assistant City Manager of Community Development Stevens provided a status report on several first and second priority projects and tasks, as well as other major projects and current planning tasks. He said NJD would be completed this week.

In response to Councilmember Templeman, Mr. Stevens said five items (including façade issues; acquisition project in the downtown; and wagon monument) are listed for discussion at the study session scheduled for Tuesday, November 10, 2009, at 5:00-7:00 p.m.

-
- c. 50th Anniversary – update, background, council direction.

Parks and Recreation Director Bruns reported that over 50 people representing various organizations and service clubs attended the kickoff rally on October 26, and guidelines for event sanctioning for use of the official logo were distributed. She encouraged everyone to plan for their events, be approved, and officially publicized through the City's website. She said the 50th Anniversary Committee is moving forward with the planning and preparation for the year-long 2010 celebration.

Mayor Pro Tem Bertone complimented Margie Green on the great design of the 50th Anniversary pin.

Director Bruns said each event will feature a distinct commemorative item to be distributed to participants. She said the Anniversary lapel pins are available and will be distributed at events throughout the year. She expressed concern with logistics of ordering and storing inventory.

It was the consensus of the City Council that there is no value in large orders of the commemorative items.

Director Bruns highlighted several ideas to promote the event including special 50th anniversary stickers, posters, press releases, website, and said sponsorship on vertical street banners could be sold for \$250 to advertise an organization or individual. She said the sponsorship would pay the cost of the banner and installation. At the end of the year-long celebration, the banner would be given to the sponsor.

Director Bruns responded to Council that the banners would be sold and hung on Bonita Avenue and Arrow Highway throughout the year.

Mayor Pro Tem Bertone suggested hanging banners in Via Verde.



The banners would look similar to this sample and would measure 3'x6' (same size as the Heroes banners).

-
- d. Agreement with the Pacific Railroad Society – update and council direction.

Assistant City Manager Duran reported that in 1995, the City approved a Lease Agreement with the Pacific Railroad Society for their use of the Santa Fe Depot. It was understood that the Society would make initial upgrades to the Depot, provide ongoing maintenance of the Depot, and provide a railroad Museum open to the general public. In exchange for the above the City would allow the Society to occupy the building for their office and archives. A new lease was entered into in 2002 maintaining the original intent with almost the same terms and conditions as the original lease with the exception of a 10 year term.

Assistant Manager Duran highlighted two significant changes to the Lease proposed by the Pacific Railroad Society:

- 1) The Railroad Society is proposing a ten-year term with a 90 day cancellation clause. They are looking to invest a significant amount of money for capital improvements and would like assurance they can occupy the building beyond 2012.
- 2) Under the existing agreement, the Railroad Society is responsible for maintaining the entire building, although one wing was utilized by the Historical Society. The Railroad Society is proposing that they be absolved of responsibility for the space occupied by the San Dimas Rodeo.

Mayor Morris thought ten years was a long time to encumber city property. He suggested reimbursing the expenditure to paint the building if the Railroad Society's lease is prematurely terminated.

Councilmember Templeman suggested that City Attorney Brown review the Lease Agreement.

In response to Councilmember Badar, Mr. Duran said the City is responsible for maintaining the building and the San Dimas Rodeo would be responsible for custodial care of the space they occupy.

-
- e. Gray Oaks sign at the entrance to Terrebonne Avenue – update and council direction.

Public Works Director Patel summarized the staff report and said that in April 2008 residents on Terrebonne Avenue and adjacent cul-de-sacs were notified that the Gray Oaks sign would be removed. Director Patel said staff inspected the sign and some loose leaves were removed from the arch and other leaves and lettering were secured to the archway.

Director Patel said Mr. Williams led a group of residents and formed an action committee to preserve the sign and requested time to allow them to work on their preservation effort.

Director Patel said in March 2009 an agreement was discovered that the sign was inherited when the city purchased the San Dimas Canyon Golf Course. Mr. Patel summarized results of a structural engineer report and said the sign's overall condition is considered to be poor. Mr. Patel offered three options for Council to consider:

- Option 1) Remove Archway sign for approximately \$7,000, removing city's maintenance obligations and liability.
- Option 2) Preserve the sign, select the preferred Alternative 1-3, and accept obligation to maintain it.
- Option 3) Remove Archway sign and reconstruct similar self-supporting sign.

It was moved by Mayor Pro Tem Bertone, seconded by Councilmember Templeman to approve option 1.

In response to Mayor Morris, Director Patel replied that the top of the sign is permanently deformed and welds on the tabs are corroded.

In response to Councilmember Templeman, Mr. Patel said the structural engineer's opinion is that the top beam needs to be removed.

Assistant City Manager of Community Development Stevens suggested retaining another structural engineer for a second opinion.

Mayor Pro Tem Bertone amended his motion to authorize staff to retain another structural engineer for a peer review and second opinion, and if the results are the same, to approve Option 1.

Councilmember Templeman agreed a second opinion was important.

It was the consensus of the City Council to secure a second opinion.



2. Business – council direction:

- a. Walker House – report on activities since the completion of the restoration. Update on future events and activities. Also discussion and direction regarding the moving of furniture to accommodate events at the Walker House.

City Manager Michaelis said the Historical Society has made progress moving into the Walker House. He said the tentative opening of the museum on November 20, 2009 will give more dimension to the building and encourage other uses. He added that the Festival has done a great job and has had two successful 2nd Story gallery events, all in line with the use of the building, in addition to the Spring and Fall art shows. He plans to schedule a user meeting in the near future to give the city options to the user agreements. Staff is interested in the Council's overall assessment on how things have been progressing with the use of the building. Staff also needs direction on the moving of furniture to accommodate events at the Walker House.

Mayor Pro Tem Bertone expressed concern that the restaurant was not doing well and asked if they can opt out at anytime. Assistant City Manager Duran replied that Saffron's has the option to terminate the agreement.

Councilmember Templeman commented that the restaurant does well when working in concert with another event.

City Manager Michaelis indicated he is open to suggestions.

Councilmember Templeman said he is not in favor of moving expensive furniture out of the building for the art show. He also felt it was inappropriate for the Historical Society to disconnect computers and remove work stations. He stated that the building can support small art shows, however, the larger events need more space and a tent approach would be more feasible.

Mayor Pro Tem Bertone stated the Walker House was restored for community involvement.

Margie Green clarified that the tent is used for the auction on Sunday. She said the art shows went well in spite of the crowded rooms. The Board plans to revisit this issue to determine a site for the 2011 and future art shows. She suggested that the Festival could rethink additional uses for the building.

Councilmember Badar agreed it would be difficult to move furniture out of the building, however, he suggested the City Council consider the necessity and feasibility of paying a professional company.

Mayor Pro Tem Bertone stated it was pre-agreed that the restaurant would have to close twice a year for scheduled events.

Margie Green stated that the Festival of Arts and Saffron's have a good partnership. She said Saffron's draws people in for the 2nd Story Gallery.

Assistant City Manager Duran reported that Saffron's is appreciative of the recent show and did well on the banquet.

City Manager Michaelis said the furniture must be moved for the 2010 Festival of Arts event and he requested specific direction. He added that the user agreements can be reviewed and amended after the 2010 art show.

In response to Council, Mr. Duran said a 12-month agreement was entered with the users to provide staff an opportunity to evaluate the uses. He said not everyone is in the building at this time and it is suggested that the agreements be extended through 2010.

Councilmember Templeman stated that if the city hall, civic center plaza and Plummer building renovation project is approved, the Festival of Arts can be given the option of hosting the art show in the newly remodeled Plummer building, or pay to move furniture out of the Walker House.

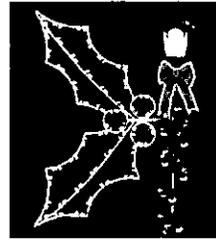
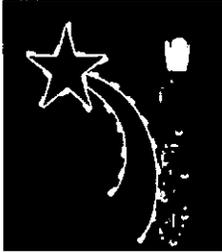
It was the consensus of the City Council to direct staff to extend the agreement with users for 2010 and re-evaluate user agreements after 2010.

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- b. Christmas - Holiday decorations for the downtown – review of what has been done in recent years, merchant's desire for new decorations – direction from the city council and potential authorization of funding. Report on plan of action for holiday lighting for the Walker House. Request to light the two large trees on San Dimas Avenue.

Downtown:

Director of Parks and Recreation Bruns reported that in the past, holiday decorations were hung from the downtown street light poles until they were no longer usable. She said with Public Works completing the downtown street light project, new poles would accommodate electrical outlets. Downtown merchants are asking the possibility of downtown decorations and staff is proposing two options for Council

consideration: 1) Silhouette Shooting Star; 2) Silhouette Holly Leaf. Staff suggested staggering the decorations between Cataract Street and Walnut Avenue on the north and south side of the street. She said a total of \$11,500 would be required for the purchase of these decorations and brackets, and if approved, monies would be appropriated from the infrastructure fund. She stated that Public Works crews would install the decorations.



In response to Mayor Pro Tem Bertone, Director Bruns replied that electricity is not available in the Via Verde area.

It was moved by Mayor Pro Tem Bertone, seconded by Councilmember Badar to authorize appropriation of funds for the purchase of holiday street decorations for the Downtown and to delegate responsibility to Director Bruns for the selection of holiday decorations. The motion carried unanimously.

Walker House: In response to interest expressed about hanging holiday lights at the Walker House, Director Bruns provided cost estimates in the amount of \$3,550 to install warm, white LED, energy efficient lights on the north and east facing, upper and lower rooflines of the Walker House. The estimate includes purchase of materials, installation, and removal.

It was moved by Councilmember Badar, seconded by Mayor Pro Tem Bertone, to appropriate \$3,550 for the purchase, installation and removal of energy efficient lights for the Walker House. The motion carried unanimously.

In addition, a request has been received to include lights in the two significant trees on the east yard of the Walker House. Currently there is no electrical service proximate to the trees to accomplish this task and electricity would be run from the main panel at the Walker House. Staff obtained a preliminary estimate in the amount of \$3,900 for the installation of sufficient circuitry, conduit and breakers. An estimate was secured in the amount of \$1,264 to tight-wrap the trunks of each tree with clear LED mini lights to a height of approximately 25'.

It was the consensus of the City Council to defer this project and direct staff to allocate funds in the next fiscal year budget.



City Manager Michaelis said members of the public are present and he suggested the City Council next consider item (f) Open Space Preservation. It was the consensus of the City Council to discuss item (f).

- f. 18 acre development at the end of Valley Center – direction regarding open space preservation.

Assistant City Manager of Community Development Stevens said Mayor Pro Tem Bertone requested this item be placed on the agenda. Mr. Stevens reported that the Tract Map to create the 18-lot subdivision was recorded in May 2007, and before the developer/ ownership group went into foreclosure, the site was partially graded with the installation of some retaining walls. At that time, sandbags were placed at the site for erosion protection. Mr. Stevens said there have been recent inquiries from potential buyers (Abell-Helou Homes and Tzu Chi Buddhist Foundation). Abell-Helou advises us they have a 45-day exclusive contingency review period expiring November 15 and will offer \$2.5 million. The asking price for the property is believed to be \$2.9 million.

In response to Mayor Morris, Mr. Stevens replied that the Tzu Chi Buddhist Foundation has been advised that the City Council had previously rejected the construction of schools and highlighted the reasons for open space.

Open Space Preservation Policy: in 2007, The City Council adopted Resolution No. 07-53 setting forth procedures and guidelines in selecting open space parcels to be protected. The subject property was not ranked at that time – presumably because it was nearing development.

In response to Councilmember Badar, Mr. Stevens replied that a Master Plan will be prepared to decide the kind of open space use desired. He said there would be restoration costs due to grading on the site and staff will introduce plant materials on the barren portion of the property.

In response to Mayor Pro Tem Bertone, Mr. Stevens stated that because trees were removed, pursuant to the conditions of approval, trees must be installed as part of the development. He said if Tzu Chi purchased the property, they would probably want to merge all parcel lines. When the grading plan is submitted, staff will address the trees.

Mayor Pro Tem Bertone moved that the City consider the purchase of the 18-acre development at the end of Valley Center.

Councilmember Badar stated he would probably not endorse the purchase of that property and said staff is looking at the possible purchase of the Northern Foothills for open space. He added that should the Chevron Gas Station become available, he would support that endeavor. He mentioned that costs are overbearing to rehabilitate the 18-acre parcel.

In response to Councilmember Ebner, Mr. Stevens replied that the asking price is \$2.9 million and Tzu Chi offered approximately \$2.5 million.

Councilmember Ebner said he likes the idea of open space, however, he is reluctant to commit \$2.5 million at this time. He added that in the event the city hall renovation project does not go forward, there may be other priority projects.

The motion failed due to lack of a second.

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- g. Report regarding the Chevron Service Station at Bonita and San Dimas Avenue.

Current Status: Assistant City Manager of Community Development Stevens said the current owners (Yang & Pil Han) acquired the property in 2005 for \$1.7 million. Staff met with them about 12 months ago regarding an obligation they had with Chevron to construct a convenience store. A letter was prepared advising that the current zoning did not permit such improvements. There was also a brief discussion about possible city interest in the property at some time in the future to which the owners were receptive. Staff has secured a preliminary title report for the property, however, Chevron may have a right of first refusal relative to any sale.

In response to Mayor Pro Tem Bertone, Mr. Stevens said the owners are willing to discuss the sale of the station and would consider an exchange of a piece of property of similar value. He added that the purchase of the subject property may not be first priority and the City Council will consider and rank other important downtown projects at the November 10, 2009 study session.

Downtown Plan: Staff has scheduled discussion for the November 10 Study Session on prioritization of various possible Downtown projects (acquisitions and/or improvements) as part of preparations for the last phase of the Downtown Specific Plan prior to hearings early next year.

-
- c. Banners in the downtown area – review merchant interest in seasonal – event oriented banners – provide direction.

City Manager Michaelis said staff plans to define the existing banner policy to allow seasonal banners or flags on existing light standards in the downtown area. He requested Council feedback.

Assistant City Manager of Community Development Stevens said this will provide the opportunity to change out Special Event banners, which will be installed by the Public Works crews in brackets similar to the 50th Anniversary banners.

In response to Councilmember Templeman, Mr. Stevens said there was no discussion about commercial banners. This policy applies strictly to special events such as Western Days, Spring Fling, etc.

In response to Council, Mr. Stevens said new light poles were installed on San Dimas Avenue and there is an opportunity to install banners on that street; however, the light poles are a different style on Bonita, east of San Dimas Avenue, and until they are changed, they will be unable to hang banners there.

-
- d. Grove Station – presentation on the current situation regarding the completion of the construction, stabilizing the rest of the property, property ownership status, status of the city owned residential units, and an update on development interest with the remaining vacant property. Potential council direction.

Assistant City Manager of Community Development Stevens referred to a memorandum from City Attorney Brown providing a status report on the development. Mr. Stevens said the office/retail building has been completed and some tenants are occupying the units. Construction on the 14 units continues and was represented as ready for occupancy in January or February 2010. He stated that William Fox is in foreclosure and it appears that they will abandon the remaining two phases - the condominiums in the center and the rear units.

In response to Mayor Pro Tem Bertone, Mr. Stevens replied that the Developer is going forward with the project in concert with the Bank; however, the bank will own the property and attempt to sell it. He said to retain control of the outcome of the changed project, staff is monitoring the project and the principle goal is to maintain the pace of construction and get to timely completion.

He said the Agency has \$1.95 million invested in the acquisition of four units of the 14 units in construction. Upon completion of the 14 units, the Agency will own the four units. He stated that \$2.7 million deposited for the acquisition of eight units in the next phase was returned. Any agreements with the now defunct developer related to affordability are considered null and void. He said, last Friday, the FDIC took over the project, sold Cal National Bank to U. S. Bank, which is now the owner of the loan funds for our development project. He said approximately \$80,000 represents the Agency's unspent portion for the four units. He said when Fox Homes steps out, the foreclosure will be addressed and the Bank will hire a new General Contractor to bring the project to conclusion. Mr. Stevens expressed concern that some project changes are being pursued to save construction dollars which may be a detriment to the remainder of the undeveloped portions of the property. Staff intends to hold a firm line on not allowing such changes and will not allow quality reductions in any changes.

In response to Councilmember Templeman, Mr. Stevens stated that the Building Inspector has been instructed to pay a high level of attention to all aspects of the construction. However, because some aspects of the job are beyond the scope of the Building Inspector, he recommended hiring Architect Steve Gaffney to perform detailed reviews of the construction, at an estimated cost of \$10,000. Mr. Stevens said he has a list of alternate Architects including Onyx Architects. He needs authority to hire the architect.

Future Development of Remaining Vacant Parcels: Staff has been in contact with at least two developers who have expressed interest in acquiring and developing the remaining portions of the Grove Station project.

In response to Councilmember Templeman, Mr. Stevens said U.S.A. Properties remains interested and is preparing to submit a revised offer. Mr. Stevens highlighted five principles for any proposal that comes forward.

Mayor Morris stated it is unlikely that the Council would approve an amendment to the Specific Plan to allow more density. He instructed staff to make it clear that zone changes are problematic.

Mr. Stevens stated that USA previously proposed to buy the property for \$3.7 million and staff explained that the price of land would be a consideration in the evaluation of any assistance.

Mr. Stevens said the second party contacted William Fox with interest to develop the middle phase of units as approved, with minor changes to the rear building. They are reducing the units and offering them for sale.

In response to Councilmember Ebner, Mr. Stevens said the general plan designation was carefully crafted and any changes require staff's discretionary decision. He said the developer should follow the five points with the understanding they cannot presume the General Plan or Specific Plan would be changed.

Director of Development Services Coleman inquired if no one buys the property, is City drawdown money recovered.

Mr. Stevens said the City prepaid for the four affordable units and funds would not be recovered. He added that the only detriment is not completing the units. He said it is in everyone's best interest to complete the project with the funds in the bank.

In response to Mayor Morris, Mr. Stevens said the units will be sold to moderate income persons. If the City Council decides they want to not sell the units, it is City Attorney Brown's intention to revisit that as we get closer to completion of construction.

There was no opposition to hiring an Architect to oversee the details of the project.

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- e. Commercial Use of public facilities and areas – particularly parks (open areas, parking lots, courts and fields), public parking lots, etc. Review of some recent issues, requesting general council discussion regarding the initial direction council may desire to take with these situations.

Director of Parks and Recreation Bruns requested Council input and direction regarding the use of public facilities for private business entities conducting for-profit business activities in various public spaces. She said public space is open and available for public use, however, the question arises as to whether for-profit businesses should benefit from use of public space. She indicated that potential conflicts with the types of activities being conducted in inappropriate spaces and safety and liability issues result from such unauthorized use.

Director Bruns cited three Municipal Code sections which have aided staff in the deterrence of these activities, but do not fully address the restriction of conducting business in public space.

Municipal Code Section 13.16.160 addresses and prohibits solicitation in parks for any purpose to sell or offer for sale any goods, wares, or merchandise or distribute or pass out any handbills advertising matter or literature, but does not address the conduction of business or services for a fee. Staff has cited this code when working with a few of the offenders, but again, it is a loose interpretation and not specific to fee for service activity.

Section 13.16.070 addresses disturbances and prohibits the disruption of peace and quiet in any park. This code has been cited when exercise camps have been operating with bull horns or whistles in the very early morning hours.

In response to Councilmember Templeman, Director Bruns said Horsethief Canyon Park is used for boot camps.

Section 13.16.190 is specific to park hours and has been referenced for those groups operating in the pre-dawn hours.

Director Bruns said staff has approached and suggested working with the various operators to provide their program or activity as a contract program through the Parks and Recreation Department with negative outcome since with that arrangement the City would receive a percentage of their revenue. She indicated that by using the public property, there is no overhead cost for space rental or lease to impact their net profits.

Director Bruns asked for Council input on whether or not to amend the Ordinance to include language that restricts commercial use for compensation.

In response to Councilmember Templeman, Director Bruns said a survey was conducted of 80 cities and some restrict the use, while others have executed a vendor agreement.

Councilmember Ebiner thought that commercial uses on public property without the City's permission should be regulated.

Councilmember Templeman said he could support permitting, licensing, and requiring insurance, however, he opposed charging a fee for the space.

Mayor Morris said a fair program is needed and thought a fee should be charged for the cost of monitoring the use.

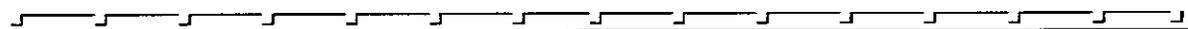
Director Bruns said currently there is no enforcement strategy. She said she would craft language for the policies and procedures, including licensing and indemnification requirements, and come up with a strategy.

Director Bruns said city policy currently requires that parks are available on a first come, first served basis. She asked for Council input on whether or not park areas should only be available by reservation for group activities and if the City should construct a gazebo at the parks.

Mayor Morris stated that people use the parks and staff can craft a policy that works for everyone. Director Bruns said it is important to not reserve everything.

Assistant City Manager Stevens said organized activities should be handled through a program, however, there is a risk that someone not going through the program will monopolize the site.

Director Bruns said when staff receives calls to reserve the park for large events, staff notifies the Sheriffs Station. She responded to Council's questions and said the County takes reservations for Bonelli Park and charges a fee. She will bring back a policy for Council's consideration.



- 3. Oral Communications** – Members of the audience. Anyone wishing to address the City Council on an item on the agenda. No action or discussion shall be undertaken on any item not appearing on the posted agenda. Speakers may be subject to a time limit as may be determined by the chair.

Councilmember Templeman thanked Captain Hartshorne for providing deputy patrol at the Civic Center for street people who drink heavily.

Captain Hartstorne reported that an arrest was made on the bank robbery in Via Verde.

Assistant City Manager Stevens said the Census on the Homeless conducted eight months ago was released and the number counted for San Dimas was zero. He said the housing obligations for special needs population is less than previously thought, which means the City will pay less money to remediate issues with the homeless.

Councilmember Templeman reported that the pepper tree by Arrow Highway and Bonita Avenue needs trimming.

Mayor Morris suggested reflectors to aide night-time drivers on Bonita Avenue in seeing the bulb-outs.

Director Patel stated that this issue will be addressed at the next Traffic Safety Committee meeting.

- 4. Adjournment** – next meeting of the City Council November 10, 2009 5 pm Study Session – downtown matters in the Council Conference Room. Regular meeting at 7:00 pm City Council Chambers.

Mayor Morris adjourned the meeting at 8:26 p.m. The next meeting of the City Council is 5:00 p.m. on November 10, 2009, to discuss downtown matters in the City Council Conference Room.

Respectfully submitted,

Ina Rios, CMC
City Clerk



Agenda Item Staff Report

To: Honorable Mayor and Members of the City Council
For the Meeting of November 24, 2009

From: Blaine Michaelis, City Manager

Initiated By: Public Works Department *WR*

Subject: **Award of Cash Contract No. 2009-11, Concrete Maintenance Project –Various Citywide Locations to Grigolla & Sons Concrete**

BACKGROUND

Nine (9) sealed bids were received by the City Clerk on Tuesday, November 17, 2009 and publicly opened for Cash Contract 2009-11, Concrete Maintenance Project –Various Citywide Locations. The project consists of repairing concrete sidewalks, curbs, gutters and tree root preservation operations.

Bids results are as follows based on a weighted average formula (*see attached summary worksheet*):

| | |
|-----------------------------|---------|
| 1. Grigolla & Sons Concrete | \$12.11 |
| 2. Martinez Concrete, Inc. | \$14.52 |
| 3. FS Construction | \$15.58 |
| 4. KC Consulting | \$17.81 |
| 5. Kormx, Inc. | \$17.17 |
| 6. LSC Construction | \$18.00 |
| 7. Hym Engineering, Inc | \$18.65 |
| 8. Quality First Concrete | \$27.78 |
| 9. Innoconti Construction | \$32.37 |

The project has been allocated in Fund 02, Gas Tax Funds, of the 2009-10 City Budget.

DISCUSSION

Included are contract provisions intended to provide cost-effective & responsive repairs along with requirements for advanced notification to residents & businesses intended to allow for coordination of repair activities with the needs of those affected residents & businesses. Other provisions of the contract include cancellation provisions for non-compliance or poor performance along with an annual option for contract renewal with a cost-of-living process clearly outlined.

The contract includes bid items for most concrete facilities maintained by the City. These bid items will allow for prompt, cost-effective response to a wide variety of concrete repairs & maintenance throughout the city. Also, the contract includes a minimum of five (5) move-ins during the course of the annual contract period. Using well planned project scheduling methods the work required throughout the year is intended to be completed during these five move-in opportunities, therefore avoiding possible extra work charges.

If the contract were to be awarded to the lowest bidder, the project budget \$130,000 would be as follows:

- Hazardous Sidewalk Repair – Various Locations \$100,000.00
- Town Core Sidewalk Repair \$30,000.00

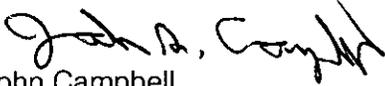
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Staff reviewed the bid proposal by the lowest responsible bidder, Grigolla & Sons Construction Co., Inc. It was confirmed through the State Contractor's License Board that the contractor's license number 514132, Class A, which expires on 7/31/2011. Staff has also checked references from other agencies and all reports regarding Grigolla & Sons Construction Co., Inc. were satisfactory.

RECOMMENDATION

Staff recommends that Council consider awarding Cash Contract 2009-11, Concrete Maintenance Project – Various Citywide Locations to Grigolla & Sons Construction Co., Inc. in an amount not to exceed \$130,000.00

Respectfully submitted,



John Campbell
Street Maintenance Superintendent

Attachment: CC 2009-11 Summary of Bids - actual
jc



Agenda Item Staff Report

TO: Honorable Mayor and City Council Members
For the Meeting of November 24, 2009

FROM: Krishna Patel, Director of Public Works

SUBJECT: **Approval to close Monte Vista Avenue, north of Allen Avenue for placement of student classrooms from December 2009 through August 2010, for the modernization of Chaparral High School and Ed Jones Education Center**

BACKGROUND

On July 14, 2009, Council tentatively approved Bonita Unified School District (BUSD) request to close Monte Vista Avenue north of Allen Avenue during the modernization of the Ed Jones Educational Center (EJEC) and Chaparral High School (CHS) for continuing education from December 2009 through August 2010. The request was to temporarily set up on Monte Vista six (6), 24'x60' long classroom modules in the street along the east curb. The City Council approval was subject to the District meeting the approval of the City Traffic Safety Committee.

Council's decision on approval to close the street was based on the fact that Monte Vista is a one-block street (600-foot long cul-de-sac) that runs north from Allen Avenue, with a curb-to-curb width of 40 feet. The east side of Monte Vista has very limited sidewalks. The primary uses of Monte Vista are BUSC'S, EJEC, CHS and emergency access for the Public Storage Co. facility located on the west side of the cul-de-sac. Monte Vista is a cul-de-sac and has no thru traffic. The impact of closing this section of street for 10 months would be minimal. Placing the temporary classrooms on Monte Vista's east curb facing the campus would allow the students to enter and exit the units from the campus.

DISCUSSION

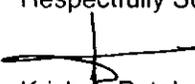
On July 15, 2009 the Traffic Safety Committee reviewed and approved BUSD request to temporarily close Monte Vista Avenue for a period of almost 9 months. Attached are (Attachments A and B) the aerial traffic control plan and conditions of approval for the street closure.

RECOMMENDATION

Staff requests Council's approval of the following:

- 1) Bonita Unified School District's request to use 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.
- 2) That District is subject to all the conditions of approval as outlined in Attachment B.

Respectfully Submitted,

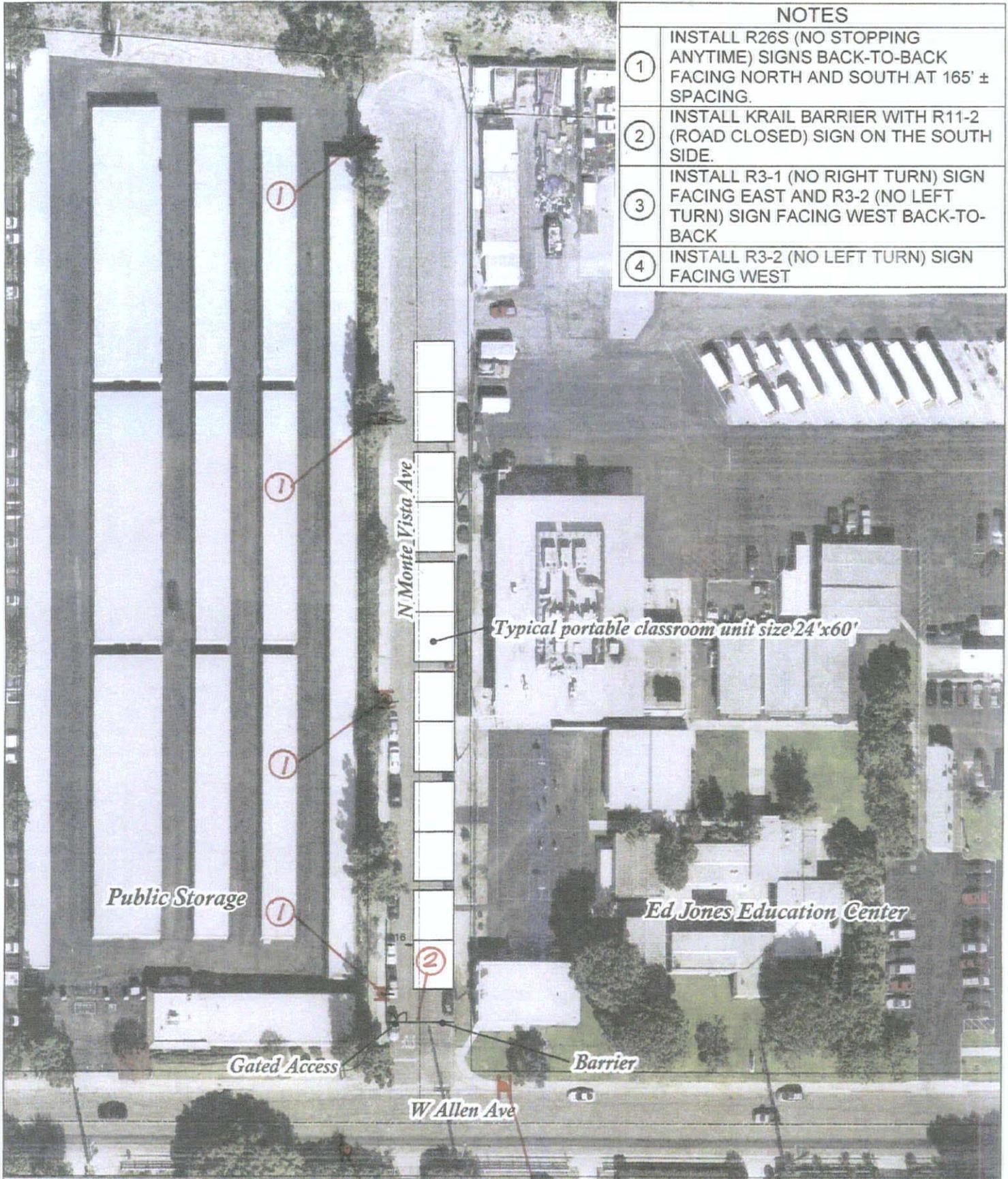

Krishna Patel
Director of Public Works

kpi/11-09-14

Attachment A: Aerial of Traffic Control for closure.
Attachment B: Traffic Safety Committee Conditions of Approval.

4d

ATTACHMENT A



| NOTES | |
|-------|---|
| ① | INSTALL R26S (NO STOPPING ANYTIME) SIGNS BACK-TO-BACK FACING NORTH AND SOUTH AT 165' ± SPACING. |
| ② | INSTALL KRAIL BARRIER WITH R11-2 (ROAD CLOSED) SIGN ON THE SOUTH SIDE. |
| ③ | INSTALL R3-1 (NO RIGHT TURN) SIGN FACING EAST AND R3-2 (NO LEFT TURN) SIGN FACING WEST BACK-TO-BACK |
| ④ | INSTALL R3-2 (NO LEFT TURN) SIGN FACING WEST |

City of San Dimas

Proposed Closure of Avenida Monte Vista North of Allen
to Place Temporary Classrooms at the Ed Jones Educational Center

June 17, 2009

--- Centerline
 □ Parcel





ATTACHMENT B

Bonita Unified School District (BUSD)

Conditions of Approval

For the closure of Monte Vista, north of Allen Avenue from December 1, 2009 until approx. August 2010.

1. Post General Liability Insurance for \$2,000,000 naming the city of San Dimas as "Additional Insured", showing the City of San Dimas as "Certificate Holder".
2. BUSD shall provide and maintain emergency and disabled persons access at all times.
3. BUSD shall provide traffic control plans. All temporary traffic control shall be provided in accordance with the CA Standard Specifications and Caltrans "Manual of Uniform Traffic Control Devices" (2003 Edition w/ rev).
4. Following the event, BUSD shall be responsible for removing all temporary signs and traffic control on all closed streets.
5. The site shall be thoroughly cleared of all trash and material(s) associated with the temporary event and returned to the original condition of the site at the conclusion of the event.
6. The applicant shall be responsible for the repair of any damage to City property which may occur as a result of the classroom placement. The areas of the City used during this time shall be thoroughly cleaned of all trash and materials associated with event, and all areas used shall be returned to their original condition at the conclusion of the street closure.
7. This permit is subject to review, revision, or revocation if the applicant does not conform to the above operating conditions, and/or if the event operation is deemed a nuisance by the City of San Dimas.
8. BUSD shall construct a full (eight-foot wide) sidewalk on the east side of Monte Vista for students to safely walk between the classroom units.
9. To be in compliance with NPDES, BUSD shall sweep the closed section of Monte Vista every 14 days.
10. BUSD shall provide the City and Public Storage Co. a key for emergency access.



Agenda Item Staff Report

TO: Honorable Mayor and Members of City Council
For the Meeting of November 24, 2009

FROM: Dan Coleman, Director of Development Services 

SUBJECT: **Deferral of plan check fees for Loma Bonita Residences, an affordable housing project to be located on the northwest corner of East Bonita Avenue and San Dimas Canyon Road.**

BACKGROUND: The City Council approved the project on August 11, 2009. The project consists of 156 apartments, including between 24 and 32 affordable units.

In 2008, the City Council approved a similar request and deferred 60% of the plan check fees until issuance of building permits contingent upon the plan check submittal by December 12, 2009. The apartments were never submitted for plan check.

ANALYSIS: The developer is requesting that 60% of their building plan check fees be deferred until issuance of building permits. The City's Draft Housing Element policies encourage fee waiver or deferral for affordable housing projects. The continuing economic downturn has created a depressed housing market and dried up private financing for construction making it difficult for developers to build new housing.

RECOMMENDATION: Staff recommends deferral of 60% of the building plan check fees, contingent upon a) the developer submitting all buildings for plan check within 30 days, and b) subject to an agreement to be prepared by the City Attorney stipulating payment of the 60% balance due at issuance of building permits or no later than June 30, 2010, whichever comes first.

Attachments: Exhibit A - Request from VCH

VCH San Dimas Company, LLC

590-G Brunken Ave., Salinas, CA 93901
(831) 753-6487, (831) 753-6480 FAX

November 16, 2009

Mr. Blaine Michaelis, City Manager
City of San Dimas
245 E. Bonita Ave.
San Dimas, CA 91773

Re: Loma Bonita residential plan check fee deferral

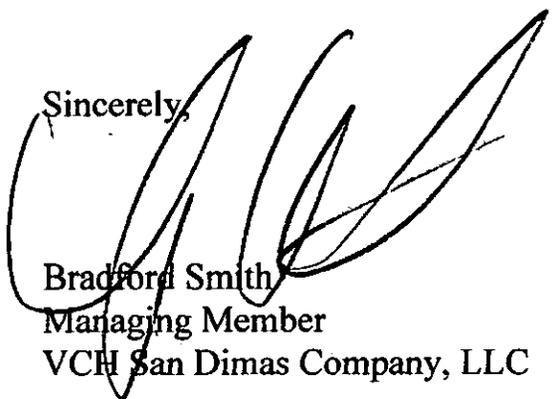
Dear Mr. Michaelis,

A year ago we requested and were granted from the City of San Dimas a deferral of 60% of the plan check fees on 120 units on our project that expired in 30 days after approval, see attached.

As you know things changed quickly and drastically immediately after we were granted the deferral and we have now increased the number of units from 120 to 156. We are currently bidding for construction and expect to secure financing and begin construction early next year in the spring/summer.

We would respectfully request the 60% plan check fee deferral be granted again. We plan to submit for first plan check before the end of this year.

Sincerely,



Bradford Smith
Managing Member
VCH San Dimas Company, LLC

cc: Dan Coleman



Agenda Item Staff Report

TO: Honorable Mayor and Members of City Council
For the Meeting of November 24, 2009

FROM: Blaine Michaelis, City Manager

INITIATED BY: Ken Duran, Assistant City Manager

SUBJECT: Request from Waste Management for service rate increase.

SUMMARY

The City's franchise agreement with Waste Management allows for an annual rate adjustment based upon a formula factoring in changes to the Consumer Price Index (CPI), fuel cost index and landfill or disposal costs. Based upon the formula Waste Management is requesting an increase of 2.56% for all services. It is recommended that the Council approve Waste Management's request for the rate increase pursuant to the terms of the agreement.

BACKGROUND

The existing solid waste franchise agreement with Waste Management went into effect in February 2008. The adoption of the Agreement at that time included an 8% increase to rates for all services.

The Agreement also included a second automatic increase that was scheduled to become effective January 2009. As Council will recall there when Council discussed the January increase there was also a discrepancy over the elimination of the commercial additional container discount. The action taken by the Council in November 2008 was to approve the 8% increase effective January 2009 and revisit an additional 4% increase upon Waste Managements completion of a commercial recycling audit. Waste Management completed the audit in April 2009 and the Council approved the additional 4% increase effective June 2009.

The Agreement has a rate adjustment formula for annual rate adjustments beginning January 2010. The formula is based upon three weighted

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components; a service component based upon the annual Consumer Price Index, fuel component based upon a fuel cost index and disposal component based upon landfill and disposal costs. Each component is weighted and makes up a percentage of the overall rate adjustment formula. The formula for this year's adjustment request is as follows:

2009-2010 Rate Adjustment

San Dimas

Rate Component Annual Change Assumptions (example):

| | |
|--|---------|
| CPI- Service Component | -0.180% |
| PPI #2 Diesel- Fuel Component | -24.41% |
| Change in Puente Hills Gate Rate- Disposal Component | 13.00% |

| Rate Component | Adjustment due to change in indices/change in disposal fees | Relative Weight of Rate | Weighted Rate Adjustment Percentage |
|--------------------------------|---|-------------------------|-------------------------------------|
| Service Component (75% of CPI) | -0.180% | 65% | -0.12% |
| Fuel Component | -24.41% | 5% | -1.22% |
| Disposal Component | 13.00% | 30% | 3.90% |
| Total | | 100% | 2.56% |

Example Using Current Rate of \$25.08

| | |
|------------------|---------|
| Current Rate | \$25.08 |
| Rate Increase% | 2.56% |
| Rate \$ Increase | \$0.64 |
| Adjusted Rate | \$25.72 |

Based on 65-gallon

CPI calculation based on September 08 to Aug. 09 Change - 223.36 (2009) - 222.96 (2009) = (-0.39), -0.18%
 PPI Diesel based on August 08 to July 09 - Change - 368.47(2008) , 278.54 (2009) = (-89.93), -24.41%
 Puente Hills Disposal Component based on gate rates effective January 1, 2010, \$33.86 current, \$38.26 January 2010

As is illustrated in the chart the actual Service Component is a -0.12% due to a negative CPI for the year. The Fuel component is also negative at -1.22% due to the decrease in fuel this year. However, the Disposal Component is an increase of 3.90% based upon a 13% increase in disposal rates at Puente Hills landfill. Factoring in all three of those weighted components results in the requested 2.56% increase for all services. As is illustrated in the example above the actual amount of the increase for an average residential customer would be \$0.64 per

month. A commercial customer with a 3 yd. container serviced once per week would experience a \$3.88 per month increase.

ANALYSIS

Staff has reviewed the indices data and formula methodology and finds them in compliance with the Agreement. The weighted formula appears to be a fair methodology to allow the rates to reflect the actual increases and decreases in the cost for providing the solid waste services. The CPI has been a negative number for most of the year resulting in the -0.18% annualized index. We are all aware of the record high costs of fuel last year and declining prices this year so it is not surprising that there was a -24.41% drop in the fuel index. Landfill disposal costs continue to increase annually. The reason is that Puente Hills, the only landfill remaining in the San Gabriel Valley is scheduled to close in 2013. In 2004 the Sanitation District developed a plan to begin to increase fees on annual basis to transition to what is expected to be a much higher rate when Puente Hills closes because of the need to most likely rail haul waste out of the area. The 13% increase in the disposal index reflects the actual increased cost for disposal at Puente Hills beginning January 2010.

In review of Waste Managements performance staff finds them in compliance with all other aspects of the Agreement. They are currently working with two multi-family complexes on implementing pilot recycling programs. They will also be initiating Christmas tree recycling round-ups at several multi-family facilities this year. The fall leaf recycling program began in November and they continue promoting the CFL mail in recycling program as well as the Sharps disposal program.

RECOMMENDATION

Since the requested increase of 2.56% follows the formula allowed for in the franchise agreement staff recommends that the City Council approve the rate increase for residential and commercial services requested by Waste Management.

Attachments: Waste Management Request Letter, Rate Adjustment Formula,
Index Back-up



Agenda Item Staff Report

TO: Honorable Mayor and Members of City Council
For the Meeting of November 24, 2009

FROM: Blaine Michaelis, City Manager

INITIATED BY: Ken Duran, Assistant City Manager

SUBJECT: Authorization to enter into a Lease with R & W San Dimas, LLC for property at 186 Village Court for temporary City Hall facilities

SUMMARY

The City has been exploring options for a location for temporary space for the relocation of City Hall during the renovation project. Staff identified 186 Village Court as a preferred existing space to lease. Staff has been negotiating lease terms within the parameters previously authorized by the City Council.

BACKGROUND

During the initial planning stages of the Civic Center renovation project the preliminary thinking was to perform the work in phases to allow staff to occupy portions of City Hall during the renovation. Several months back there began consideration to perform the work in one phase to save time and money on the project. It was estimated that a single phase project could save 6 months and approximately \$400,000 off construction costs. A single phase project would require the temporary relocation of City Hall for the duration of the project.

Staff began to identify options for a temporary relocation of City Hall. Two primary scenarios were identified. The first was relocation into portable trailers on either city owned or private owned property. The second was to locate existing available commercial space that could be rented by the City.

In regards to option one staff identified the City owned vacant property on Bonita and Cataract as a preferred site for a portable City Hall location. Staff prepared some rough preliminary site layouts for the site and prepared rough cost estimates for site preparation and leasing portable facilities.

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In regards to the option of occupying existing commercial space staff searched the city for available space. There were only a very limited number of commercial spaces that could meet the requirements for a temporary city hall location. The preferred site identified was the vacant former Levitz Furniture building at 186 Village Court. The site provides the following advantages:

- The building is 47,000 square feet, more than meets our needs.
- Provides adequate parking.
- Has existing interior improvements that provide partial portioned spaces, adequate restrooms and adequate electrical that could meet our work space needs with very minimal additional tenant improvements.
- Landlord was receptive to a short term lease.
- Existing building space is preferable to portable trailers if the cost to relocate is comparable.

ANALYSIS

At the November 14, 2009 City Council meeting the City Council provided staff with authorization to formally negotiate a lease with the property owners based upon certain parameters. Working through the property owner's broker, staff and the property owners have reached agreement on most of the lease terms within the parameters authorized by the City Council. As of the writing of this report there are three items that are still being negotiated. We feel these outstanding items will be resolved prior to the Council meeting and will be reported to the Council verbally. The following are the significant business points of the lease:

i) The rent will be \$225,000 (\$17,307 per month payable on the first day of each month) for an initial 13 month term.

(ii) City will have the right, at its election, to extend the initial term on a month-to-month basis for up to an additional 4 months after expiration of the initial term upon written notice to the Owner. **(The amount of the monthly rate for the extended months is currently being negotiated)**

(iii) The lease will be a full gross lease. Owner will be responsible for all taxes and insurance (except any insurance City carries on its personal property). Owner will maintain the exterior of the building and all landscape, parking and other like exterior areas and will maintain and make any necessary repairs or replacements required to maintain the building in good condition and repair. City will be responsible for cleaning of the interior of the Premises and payment of utilities, but not any other maintenance or repair of the Premises unless due to damage (beyond normal wear and tear) caused by City or its employees. **(Responsibility for maintenance of the mechanical systems during the term of the lease is being negotiated)**

(iv) There will be no tenant improvement allowance. The City will accept the Premises in its existing condition, subject to performance of the Landlord's work described below.

(v) Prior to December 31, owner will complete the rehabilitation/restoration of the Premises, including all electrical, lighting, plumbing, HVAC and other building systems, in accordance with a mutually approved scope of work. Any work not completed by that date may be completed by City on behalf of Owner and any costs incurred by City may be offset against the rent payable under the Lease.

(vi) Rent will commence and full occupancy will commence on March 1, 2010. Owner will provide City early access beginning on February 1, 2010, to allow City to prepare the Premises for full occupancy and operation.

(vii) City will have a right to elect to terminate the Lease up to March 1, 2010. If such termination is without cause, City will be required to pay a cancellation fee to Landlord (**The amount of the cancellation fee is being negotiated**). City will deposit an amount equal to the cancellation fee with Owner upon completion of Owner's work in December. The deposit will be applied either to the cancellation fee (if City elects to terminate) or the rent.

RECOMMENDATION

The agreed upon business points of the lease are acceptable to staff and are within the parameters previously authorized by the City Council. Staff continues to negotiate the outstanding three points. If agreement can be reached on those outstanding points staff will report those terms to the Council at your meeting. Assuming the successful negotiation of the outstanding points staff recommends that the City Council approve the business terms as outlined and reported and authorize the City Manager and City Attorney to finalize and execute a lease agreement with R & W San Dimas, LLC for the lease of 186 Village Court.



CITY OF SAN DIMAS
MINUTES
SAN DIMAS REDEVELOPMENT AGENCY MEETING
TUESDAY, NOVEMBER 10, 2009
COUNCIL CHAMBERS
245 E. BONITA AVENUE

PRESENT:

Chairman Curtis W. Morris
Vice Chairman Denis Bertone
Mr. Emmett G. Badar
Mr. John Ebner
Mr. Jeffrey W. Templeman
Executive Director Blaine Michaelis
Agency Attorney Ken Brown
Secretary 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

CALL TO ORDER

Chairman Morris called the meeting to order at 8:38 p.m.

ORAL COMMUNICATIONS. *(This is the time set aside for members of the audience to address the Board. Speakers are limited to three minutes.)*

No one came forward to speak.

APPROVAL OF MINUTES

It was moved by Mr. Templeman, seconded by Mr. Badar, to approve the minutes of the October 27, 2009 meeting. The motion carried 4.0.1; Mr. Ebner abstained.

EXECUTIVE DIRECTOR

There were no comments.

MEMBERS OF THE AGENCY

There were no comments.

ADJOURNMENT

Chairman Morris adjourned the meeting at 8:39 p.m.

Respectfully submitted,

Ina Rios, Secretary

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Agenda Item Staff Report

TO: Honorable Chairman and SDRA Board Members
for the meeting of *November 24, 2009*

FROM: Blaine Michaelis, Executive Director

INITIATED BY: Barbara Bishop, Finance/IS Manager

SUBJECT: Approval of the Annual Audited Financial Statements and State
Controller's Report

SUMMARY

*The Annual Independent Financial Audit Report and the State
Controller's Report are submitted for adoption by the Redevelopment
Agency Board.*

DISCUSSION

The enclosed report was filed with the State Controller on November 9, 2009, within six months of the end of the Agency's fiscal year (December 31, 2009) as per Health and Safety Code Section 33080.1. This report consists of the Independent Financial Audit Report, the State Controller's Report for the San Dimas Redevelopment Agency, and the Housing Report, which must be adopted by the Redevelopment Agency Board as the Annual Report. The Agency received an Unqualified opinion for both the financial audit and the compliance audit.

The State Controller's Report filed on form ACCT-LGRS80 includes a description of the year's activities of the projects as well as a work program for the coming year as stated in the City's budget message.

RECOMMENDATION

It is recommended that the Board approve this report by minute action.

MC (1)