



MINUTES
REGULAR CITY COUNCIL
TUESDAY, FEBRUARY 23, 2010, 7:00 P. M.
COUNCIL CHAMBERS, 245 E. BONITA AVE.

PRESENT:

Mayor Curtis W. Morris	Connor Cravens
Mayor Pro Tem Denis Bertone	Jena Avila
Councilmember Emmett Badar	Chandler Fuller
Councilmember John Ebner	Alyssa Leffridge
Councilmember Jeff Templeman	McKenna Whipp
City Manager Blaine Michaelis	Matt Hubbard
City Attorney J. Kenneth Brown	Burke Boydell
City Clerk Ina Rios	Siera Elias
Assistant City Manager of Community Development Larry Stevens	
Assistant City Manager Ken Duran	Methias Talamantes
Director of Development Services Dan Coleman	Max Paronell
Director of Public Works Krishna Patel	Miranda Hernandez
Director of Parks and Recreation Theresa Bruns	Genoveva Ortiz
Senior Engineer Shari Garwick	Justin Liwag
Superintendent of Building and Safety Eric Beilstein	Matt Villanueva
Recreation Services Manager Leon Raya	Brian Caballero

Stephen Gaffney, AIA, Nestor+Gaffney Architects
Gary Chubb, Vice President, Griffin Structures Inc.

1. CALL TO ORDER

Student Mayor Connor Cravens called the meeting to order at 7:05 p.m. and led the flag salute. Students introduced themselves as Student in Government Day representatives.

2. RECOGNITIONS

- Proclaim March 3, 2010 Arbor Day to support efforts to protect our trees and woodlands.

Mayor Morris and Student Mayor Connor Cravens presented to Genoveva Ortiz, student Parks and Recreation Director, a proclamation declaring March 3, 2010 as Arbor Day, urging all citizens to support efforts to protect our trees and woodlands, plant trees, and promote the well-being for future generations.

Student Director Genoveva Ortiz said volunteers are needed on March 3, 2010, from 8:00 a.m. to 3:00 p.m. at Marchant Park to celebrate Arbor Day teaching Ekstrand School Third Grade Class about trees and nature. She invited the community to bring shovels and gloves and join in the "Tree Partnership" Planting projects at Gladstone School on March 12th from 9:00 a.m. to 2:00 p.m. and at Lone Hill Park on March 20, 2010, from 8:00 a.m. to 4:00 p.m. She said lunch, t-shirts and visors will be given to all volunteers at the Lone Hill planting and Wescorp will provide refreshments. For additional information or to sign up to volunteer, contact Municipal Arborist Deborah Day at (909) 394-6273.

Ms. Ortiz announced that the City has been awarded a tree planting project funded by Cal-fire, and administered by United Voices for Healthy Communities. She said in recognition of the City's 50th Anniversary, Cal-fire is providing the City with over 400 15-gallon trees, which will be planted where there is a great need for shaded trees. She added that San Dimas High School, Lone Hill Middle School, Ekstrand Elementary and Allen Avenue School are all participating in this project and volunteers are

needed to assist with the large scale planting project. The dates have not yet been determined for each school, but the information will be posted on the City's website at www.cityofsandimas.com or interested parties can contact Deborah Day at (909) 394-6273 to join San Dimas Branch Hands to volunteer for these worthwhile tree planting projects.

Mayor Morris said the City will be celebrating their 50th Anniversary all year, including the Birthday Barbecue in August.

3. ANNOUNCEMENTS

a. 50th Anniversary Flashbacks

Susan Davis, San Dimas Historical Society provided brief flashbacks: In late January, 1968, the community was invited to attend the grand opening ceremony of the new Circle K at 116 Walnut Street; also in 1968, the Canyon Theatre had a double feature - Sidney Poitier in *To Sir With Love* and *Who's Minding the Mint*, admission was \$1 for adults and 50 cents for children. She said there were groundbreaking ceremonies on the site of the new San Dimas High School located at Amelia between Cypress and Covina Avenues, and in February, 1969, the new school cost \$2,302,148, ready for the September 1970 occupancy for the new school year.

b. Pui-Ching Ho, Librarian, San Dimas Library

Pui-Ching Ho, Library Manager, San Dimas Library, introduced her Student Counterpart Alicia Teachout and said the Library is hosting a free two-day exhibition of artwork by San Dimas High School students on February 26-27, 2010. The Theme is "My Town: San Dimas" in celebration of the City's 50th year anniversary; opening reception will be held on February 26, 3:30 p.m.-4:30 p.m.; the exhibition will open at 10:00 a.m. until 4:00 p.m. on Saturday. The Book Party meets March 1, 10:30 a.m. and the book of the month is "Freakonomics". The Library will present a series of Young Magicians Magic Workshops with Tony Daniel on Wednesday, March 3-31, 2010, at 4:00 p.m. Space is limited to 30 students.

Alicia Teachout reported that on Saturday, March 15, from 1:00 to 3:00 p.m. a step by step vegan cooking demonstration will be held at the San Dimas Library. She said there will be a food tasting at the end of the program and a chance to win cooking tips. For more information, call the Library at (909) 599-6738 or access their website www.co.la.publib.org.

c. Maylene Luzod, Community Development Manager, American Cancer Society Relay for Life

Maylene Luzod, Community Development Manager, American Cancer Society Relay for Life said the Relay for Life is a 24-hour community event that raises funds for cancer research, offers free programs for cancer patients and awareness and advocacy efforts throughout the community. She said Relay for Life celebrates cancer survivors, remembers those lost to the disease, and fights back against the disease. She thanked the City for their continued support to their events and cause and announced that the 2010 Relay for Life event would take place on May 15-16, 2010 at Horsethief Canyon Park. She invited all cancer survivors and local businesses and families and friends to be part of the Relay for Life experience. For additional information, log on to relayforlife.org/sandimasca.

d. Announce April 21, 2010 as *Earth Day in San Dimas*

This event will be announced at the March 23, 2010 meeting.

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) **Tim Roe**, President, San Dimas Little League, reported that registration is up to 100 children and he proudly reported that Little League International is sponsoring the first Autistic Baseball League in the city of San Dimas with 50 children signed up. He is excited and looking forward to opening day at 10:00 a.m. on March 13, at Marchant Park. He thanked Parks and Recreation Director Bruns and her staff who work with his crew to prepare the fields for their games. He invited the City Council to join them for a barbecue after the game.

2) **Ted Powl**, President/CEO, Chamber of Commerce, invited the community to the Toast of the Town on Thursday, February 25, from 5:30 p.m. to 8:30 p.m., in the Stanley Plummer Community Building. He said in addition to enjoying the delicious cuisine of 17 local restaurants and wine provided by Fairplex, musical entertainment will be provided by Ed Wolfe and his Jazz Quartet. Tickets are \$25 at the door. Mr. Powl announced that the Civic Academy will be starting on March 20, 2010 to introduce citizens to the various agencies that offer support to the City. The cost is \$98 which includes meals, clothing and a graduation ceremony to be held on May 8, 2010, as well as a tour of the community. Mr. Powl said the Chamber is accepting nominations for Business Awards to recognize businesses in town that have made a significant contribution to the community. The event will be scheduled for June, 2010. For additional information, contact the Chamber office at (909) 592-3818.

3) **Mike Kelly**, Principal, San Dimas High School, thanked the City Council and staff for providing the opportunity to the students to participate in the Students in Government Day. He expressed appreciation for all the hard work that goes into operating the city and the City Council and staff can appreciate the fine students at San Dimas High School. He encouraged volunteers to join them on March 12 for the tree planting and reminded everyone to bring shovels and gloves.

4) **Sid Maksoudian** thanked Mr. Powl for cancelling the Cash for Gold program.

5. CONSENT CALENDAR

(All items on the Consent Calendar are considered to be routine and will be enacted by one motion unless a member of the City Council requests separate discussion.)

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

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

(1) **RESOLUTION NO. 10-05**, A Resolution of the City Council of the City of San Dimas approving certain demands for the month of February, 2010.

(2) **RESOLUTION NO. 10-06**, A Resolution of the City Council of the City of San Dimas authorizing the City Engineer to proceed with the preparation of annual reports for the annual Levy of Assessments for the Boulevard Open Space Maintenance District (TR 32818).

- (3) **RESOLUTION NO. 10-07**, A Resolution of the City Council of the City of San Dimas authorizing the City Engineer to proceed with the preparation of annual reports for the annual Levy of Assessments for the Northwoods Open Space Maintenance District (TR 32841).
 - (4) Application to Statewide Park Development and Community Revitalization Program for the Walnut Creek Habitat and Open Space Area:
RESOLUTION NO. 10-08, A Resolution of the City Council of the City of San Dimas, California approving the submittal of an application for Statewide Park Program Grant Funds.
- b. Approval of minutes for the regular meeting of February 9, 2010 and special meeting of February 9, 2010.
 - c. Safe Routes to Schools Grant - Speed Feedback Signs at Holy Name of Mary School and Ed Jones Educational Center/Chaparral High School
 1. Appropriation of \$55,000 from the Infrastructure Fund
 2. Approval of Change Order to CC 2007-07 for Macadee Electrical in the amount of \$83,988 for sign improvements.

END OF CONSENT CALENDAR

6. ORDINANCES

- a. Designate public places for posting of official notices and identify temporary relocation of the City Council Chambers.

1) ORDINANCE NO. 1195, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN DIMAS PROVIDING FOR THE TEMPORARY RELOCATION OF THE CITY COUNCIL CHAMBERS, IDENTIFYING THE LOCATION FOR THE POSTING OF OFFICIAL NOTICES, AMENDING THE SAN DIMAS MUNICIPAL CODE AND PROVIDING FOR ITS ADOPTION AS AN URGENCY ORDINANCE. URGENCY ORDINANCE

City Manager Michaelis reported that once the contracts for the renovation of the City Hall are approved, construction on the City Hall will commence in March, 2010. During construction, city staff and city activities will be temporarily relocated to another location and meetings will be conducted in the multi-purpose room at the Senior Citizen/ Community Center. Because the first meeting of the City Council will be held after the new construction has commenced, it is necessary that this ordinance be adopted as an urgency ordinance and the same shall take effect immediately upon its adoption.

Ordinance No. 1195 provides for the temporary relocation of the City Council Chambers, identifies the locations for the posting of official notices, amends the San Dimas Municipal Code and provides for its adoption as an urgency ordinance. He said upon the reopening of the newly remodeled city hall, provisions of this ordinance will revert to the original provisions in Section 2.04.010 of the San Dimas Municipal Code.

After the title was read, it was moved by Mayor Pro Tem Bertone, seconded by Councilmember Badar, to waive further reading and adopt **URGENCY ORDINANCE NO. 1195, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN DIMAS PROVIDING FOR THE TEMPORARY RELOCATION OF THE CITY COUNCIL CHAMBERS, IDENTIFYING THE LOCATION FOR THE POSTING OF OFFICIAL NOTICES, AMENDING THE SAN DIMAS MUNICIPAL CODE AND PROVIDING FOR ITS ADOPTION AS AN URGENCY ORDINANCE.** The motion carried unanimously.

7. OTHER MATTERS

- a. Award of multiple Prime Contractors for the renovation and expansion of the City Hall, Civic Center Plaza and Stanley Plummer Community Building in the stated work categories.

Category	Trade	Company	Base Bid	Alternates
#1	Demolition & Abatement	American Demolition	\$397,000	\$ 62,000
#2	Earthwork	L.D. Anderson	\$ 99,492	\$ 8,000
#3	Site / Offsite Utilities	Boudreau Pipeline Corp	\$137,783	
#4	Asphalt Paving	All American Asphalt	\$ 33,740	\$105,135
#5	Site / Offsite Concrete	K.A.R. Construction	\$137,700	\$ 14,250
#6	Unit Pavers	Diversified Landscape	\$ 82,500	
#7	Fountain	Outside the Lines	\$142,317	
#8	Landscaping & Irrigation	Diversified Landscape	\$128,500	
#9	Reinforcing	Rebar Engineering	\$208,325	\$ 950
#10	Building Concrete	Dominguez Construction	\$737,981	
#11	Masonry Veneer	American Tile & Brick	\$139,999	
#12	Structural & Misc. Steel	Triad Steel	\$256,163	\$ 3,480
#13	Metal Decking	Anning-Johnson Company	\$ 65,650	
#14	Architectural Woodwork	Lozano Caseworks Inc.	\$186,880	
#15	Waterproofing	Best Contracting Services	\$ 24,138	
#16	Building Insulation	Alcal Arcade	\$ 29,250	
#17	Roofing	Best Contracting Services	\$139,793	\$ 1,200
#18	Flashing & Sheet Metal	Best Contracting Services	\$ 39,800	\$ 600
#19	Door, Frames & Hardware	G&G Door Products	\$253,000	
#20	Sliding Aluminum Framed Glass Doors	Henry's Glass Co. Div. of Glazcon Industries	\$ 47,200	
#21	Rolling Counter Doors	McKendry Door Sales	\$ 10,000	
#22	Not used			
#23	Glass & Glazing	Queen City Glass	\$174,012	\$ 20,000
#24	Framing, Drywall, Lath & Plaster	Orange County Plastering	\$537,000	
#25	Ceramic Tile / Stone	Premier Tile and Marble	\$123,346	
#26	Acoustical Ceilings	Chaney Company, Inc.	\$108,000	
#27	Resilient & Carpet Flooring	Continental Flooring, Inc.	\$74,403	
#28	Painting & Wall	Borbon, Inc.	\$112,800	\$ 1,500

	Covering			
#29	Operable Partitions	Hufcor Airwall	\$ 45,324	
#30	Toilet Partitions & Accessories	Global Steel Products Corp	\$ 33,419	
#31	Projector Screens	Martin Integrated Systems	\$ 17,915	
#32	Kitchen Equipment	Reject and re-bid	Reject and re-bid	
#33	Blinds	Phillip's Draperies Inc.	\$ 6,950	
#34	Fire Sprinkler System	Daart Engineering Co. Inc.	\$241,710	
#35	Plumbing	Fairchild Plumbing	\$372,300	\$ 1,000
#36	HVAC & Controls	Air Flow Mechanical	\$990,000	\$ 85,200
#37	Electrical	Brewster Electric	\$850,250	\$ 2,500

City Manager Michaelis stated that staff has been working for some time with the architect regarding the design for the renovation project. He explained that instead of the traditional method of bidding, each bid would be directly awarded to each contractor for each trade.

Director of Development Services Coleman reported that the City designated Griffin Structures, Inc. the Program Manager and Swinerton Builders the Construction Manager as its agents for contracting with the various contractors for the collective work for the renovation of the city hall, civic center plaza and Stanley Plummer community building, pursuant to bid documents pre-approved by the City. He said contractors were pre-qualified and bids were received from 161 prime contractors from 36 trade categories. Staff recommends a separate vote on the alternate bids and that the City Council accept the recommendations of Griffin Structures, Inc. and Swinerton Builders, City Attorney and staff to:

- a) Award contracts to the 35 qualified and responsive low bidders by trade as listed in Exhibit A. Listed on the exhibit are the project alternate bids, which will be voted on separately.
- b) Staff recommends rejecting certain bids as either non-responsive or withdrawn in the designated categories and award contracts to the next lowest qualified and responsive bidder.
- c) Reject bids received in the Work Category of Kitchen Equipment; one of the bids was non-responsive and the other higher than anticipated. Direct staff to solicit 3 or more proposals to determine the most cost effective approach to complete this work and purchase of the desired equipment.
- d) Staff further recommends that the City Council confirm a financing plan for this project that includes: Borrowing \$7.5 million - 15 year term - selecting an option for the most favorable provisions to pay off the loan after 10 years. The rest of the project to be financed from a contribution of up to \$5.5 million from General Fund reserves for the balance of the construction costs, and that the final provisions for the financing will be brought to the City Council for formal acceptance at their March 23, 2010 meeting.

In response to the City Council, Manager Michaelis replied that the Guaranteed Maximum Price (GMP) is \$13 million and although the bids came in favorably, Griffin Structures has proposed waiting to get into the initial demolition phase of the project before the GMP is adjusted. He stated that if it is the direction of the City Council to adjust the GMP this evening, the adjustment would be \$12.5 million, however, Mr. Michaelis suggested waiting until June, 2010 for a possibly more favorable adjustment.

Councilmember Templeman said he has been involved in designing substantial buildings and it does not make sense to reduce cost control at this early stage of the project. He thought it would be best to wait until any unforeseen conditions can be identified.

In response to Council, **Gary Chubb**, Griffin Structures, Inc. explained that the Guaranteed Maximum Price excludes acts of God, structural cracks, and any unforeseen subsurface conditions found.

In response to Councilmember Ebner, Mr. Chubb said multiple contracts will be executed upon approval of the project by the City Council. and if a contractor fails to execute a contract, the 2nd qualified bidder will be selected and those premiums will be absorbed by the GMP. He said once the contracts are issued and bonds executed, he will conduct an assessment of risk, and would be willing to bring to the City Council a reduction in the GMP.

In response to Councilmember Badar, Mr. Michaelis replied that recommended alternates, with the exception of the skylights, are included in the project costs.

In response to Councilmember Ebner, Mayor Morris replied that the alternate bids will be voted on separately by the City Council.

- a) Award contracts to the 35 qualified and responsive low bidders by trade as listed in Exhibit A, as recommended by staff.

It was moved by Councilmember Templeman, seconded by Councilmember Badar, to approve the multiple base bids pursuant to staff's recommendation.

Mayor Pro Tem Bertone praised the Architect's design; however, he will vote against this project. Although he agreed the city hall needed expansion and upgrades, he felt the project could be completed for less than \$6 million and cannot justify the \$17.5 million expenditure for the project and relocation costs.

Councilmember Templeman stated that 33% of the cost will be allocated to bringing the buildings and courtyard up to code and the project provides much needed office space to enable employees to better serve the community. He added that this is the perfect opportunity to move forward with the project when bids are favorable. He firmly supports the project.

Councilmember Ebner stated he approves of the financing plan for a final product they can all be proud of to help staff and the public have a better experience in city hall.

Councilmember Badar said the city hall is the crown jewel of the center of town and is used considerably more than any other building. He agreed that bids are now most favorable and financing is cost effective. He said the upgrades will result in an additional 50 years of use and he wants to see the project move forward.

The motion carried by the following vote:

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

Mayor Morris stated that the following alternate bids will be considered separately.

- 1) Striping of First Street to increase parking in the amount of \$2,811 to change from parallel to perpendicular parking.

It was moved by Councilmember Templeman, seconded by Councilmember Badar, to approve Alternate Bid 1. The motion carried unanimously.

- 2) West Parking Lot rehabilitation in the amount of \$150,409.

In response to Councilmember Ebner, Public Works Director Patel replied that a typical design for a parking lot is expected to last 30 years. He said the east parking lot was never reconstructed and it is at least 50 years old. The west parking lot was constructed as part of the Senior Citizen/Community Center remodel in the 1980's; it was not a full in-depth construction. The life expectancy for the proposed reconstruction is approximately 50 years.

In response to Mayor Morris, Mr. Chubb replied that of the \$150,409 budget, it will cost approximately \$10,000 to repair the concrete entrances for the Senior Citizen/Community Center.

In response to Councilmember Ebner, Mr. Chubb replied that those improvements can be done without rebuilding the entire parking lot. He added that as part of this rehabilitation project, the ADA access will be repaired to make it safe for the public.

Councilmember Templeman said it makes sense to complete the entire project at once and not cause additional disruption to the community.

It was moved by Councilmember Badar, seconded by Councilmember Templeman, to approve Alternate Bid for West Parking Lot rehabilitation. The motion carried 3.2; Councilmembers Bertone and Ebner were opposed.

- 3) East Parking Lot Rehabilitation in the amount of \$58,271.

It was moved by Councilmember Badar, seconded by Councilmember Templeman, to approve East Parking Lot rehabilitation. The motion carried 3.2; Councilmembers Bertone and Ebner were opposed.

- 4) Skylights - 12 in city hall in the amount of \$275,000.

No action was taken pursuant to Staff recommendations that Skylights be excluded.

- 5) New Trash Enclosure at Community Center in the amount of \$18,207.

It was moved by Councilmember Templeman, seconded by Mayor Pro Tem Bertone, to approve the Trash Enclosure at the Community Center. The motion carried unanimously.

- 6) Automatic Sliding Doors – 2 for City Hall in the amount of \$23,415.

It was moved by Mayor Pro Tem Bertone, seconded by Councilmember Templeman, to approve the Automatic Sliding Doors. The motion carried unanimously.

- 7) Replace HVAC unit at the Stanley Plummer Community Center in the amount of \$107,495.

In response to Mayor Morris, Mr. Michaelis stated that the 40 year old fan portion of the heating and air conditioning system still runs today, and in an effort to make the project costs as economic as possible, staff was looking at replacing only necessities.

In response to Mayor Pro Tem Bertone, Director Coleman replied that the base bids include an additional HVAC for the new addition.

In response to Councilmember Templeman, Mr. Stephen Gaffney explained that the Community Building currently has a single fan working off the central plan in the city hall that serves the main unit and other functions. He said they are not increasing the size of the building and it is not practical to install a new system which would have required a larger fan to carry the whole new building. The decision was made to install two systems - keeping the old system and adding a split system that works for the expansion. He stated that this item was placed as an alternate because even though the unit still works it is 40 years old and it can fail at any time.

In response to Councilmember Badar, Mr. Gaffney clarified that the base bid includes the new additional system to the Community Building as well as renovation and new system to city hall. He stated that the add was to replace a single fan now serving the existing room.

It was moved by Councilmember Templeman, seconded by Councilmember Badar, to replace the HVAC unit at the Stanley Plummer Community Center in the amount of \$107,495. The motion carried unanimously.

In response to City Manager Michaelis, City Attorney Brown stated that staff addressed the rejection of bids and he would request the City Council to take action on staff's recommendation for item (b) and item (c) as follows:

- b) Staff recommends rejecting certain bids as either non-responsive or withdrawn in the designated categories and award contracts to the next lowest qualified and responsive bidder.
- c) Reject bids received in the Work Category of Kitchen Equipment; and direct staff to solicit 3 or more proposals to determine the most cost effective approach to complete this work and purchase of the desired equipment.

It was moved by Councilmember Ebiner, seconded by Mayor Pro Tem Bertone, to approve staff's recommendations to reject certain bids as non-responsive or withdrawn in the designated categories, and award contracts to the next lowest qualified and responsive bidder; to reject bids received in the Work Category of Kitchen Equipment, and to direct staff to solicit three (3) or more proposals to determine the most cost effective approach to complete this work and purchase of the desired equipment. The motion carried unanimously.

- d) Staff further recommends that the City Council confirm a financing plan for this project that includes: Borrowing \$7.5 million - 15 year term - selecting an option for the most favorable provisions to pay off the loan after 10 years. The rest of the project to be financed from a contribution of up to \$5.5 million from General Fund reserves for the balance of the construction costs, and that the final provisions for the financing will be brought to the City Council for formal acceptance at their March 23, 2010 meeting.

Mayor Morris stated that staff is requesting approval in concept for the borrowing of \$7.5 million for a 15 year term, financing from the general fund the remainder of costs, and staff will bring back exact terms of financing at the March 23, 2010 meeting.

City Manager Michaelis stated that staff will bring back favorable provisions to be able to pay off the balance within ten years. He requested a motion to confirm the financing plan that includes borrowing \$7.5 million on a 15 year term with the option to pay in full within ten years.

In response to Councilmember Ebner, City Attorney Brown clarified that in order to award the contracts this evening, it is required that the city have sufficient monies in its general fund reserves to pay for the work the City Council has approved. Mr. Michaelis stated that even though the city has sufficient reserves to pay for the entire project, it is his recommendation that the City Council approve the financing plan he just discussed; namely borrowing \$7.5 million on the most favorable repayment terms and financing the rest of the project from the city's general fund reserves.

It was moved by Councilmember Badar, seconded by Councilmember Templeman, to confirm the financing plan that includes up to \$5.5 million coming from the general fund and borrowing on a \$7.5 million on a 15 year term with the option to pay in full within ten years on the most favorable terms staff is able to find.

Mayor Pro Tem Bertone stated he will vote in favor of this financing plan because he feels this is the least expensive way to borrow funds and by using this method, the City saves approximately \$2 million.

The motion carried 5.0.

City Manager apologized that the Guaranteed Maximum Price was misunderstood and he clarified that staff meant to say that if bids approved this evening resulted in more than \$13 million, staff will be working with a \$13 million project on what was designed according to the plans and specifications.

- b. Award of contract for geotechnical, and materials inspection and testing, for the renovation and expansion of the City Hall, Civic Center Plaza and Stanley Plummer Community Building to Leighton Consulting, Inc. in the amount of \$85,000 (includes 15% contingency) to be funded using uncommitted funds in the Infrastructure Fund 12.

Director of Development Services Coleman reported that bids were solicited from five consulting firms for the geotechnical and materials testing. He said since the scope of work includes inspection and testing concrete and reinforcing materials, it is crucial to the project schedule to award the contract prior to construction start on March 10, 2010. Staff recommends the City Council take the following action:

- a) Award the contract to the apparent low bidder, Leighton Consulting, Inc., and to amend the budget in an amount not to exceed \$85,000 which includes a 15% contingency.
- b) Approve appropriation of uncommitted funds in Infrastructure Fund 12 in the amount of \$125,000.

It was moved by Councilmember Templeman, seconded by Councilmember Ebner, and carried unanimously to approve staff's recommendations as outlined in the staff report.

- c. Renew contract with University of La Verne for the management of the City's Government/Education access channel.

Assistant City Manager Duran reported that in 2006 the California State Legislature adopted the Digital Infrastructure and Video Competition Act (DIVCA) that allowed a cable provider to obtain a state franchise agreement in lieu of an individual local franchise and eliminated cable provider obligations previously required, including support for public access. He said Time Warner was granted a state franchise effective January 1, 2009. After considering various options, the City contracted with the University of La Verne (ULV) to continue with an Education and Government Channel (EG). The contract expires at end of February 2010. Staff recommended that the City Council authorize the execution of an Agreement with the University of La Verne for the continued management of the City's Government/Education access channel for the term of one year in the amount of \$66,526.07. He said Don Pollock is in the audience if anyone has questions.

In response to Councilmember Templeman, Mr. Duran replied that a portion of this cost can be attributed to trip reduction and AB 2766 funds can be used. Staff will look at ways to figure out appropriate attributable costs.

In response to Council, Mr. Duran stated that staff will continue to troubleshoot the transmission problems. He indicated that there is a new contact person at Time Warner and he hopes discussions will lead to continued cooperation with him. Mr. Duran believes the problem is somewhere between the City Hall and Time Warner in Glendora.

It was moved by Mayor Pro Tem Bertone, seconded by Councilmember Ebner, to authorize the execution of an Agreement with the University of La Verne for the continued management of the City's Government/Education access channel for the term of one year in the amount of \$66,526.07. The motion carried unanimously.

It was moved by Councilmember Templeman to set aside funds for technology assessment. The motion was seconded by Mayor Pro Tem Bertone and carried unanimously.

Mr. Duran stated that funds are available from the 1% PEG fees money to conduct a technology assessment.

Councilmember Ebner suggested moving toward streaming on the Internet.

- d. Resolution in support of the Local Taxpayer, Public Safety, and Transportation Protection Act of 2010.

- 1) **RESOLUTION NO. 10-09, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN DIMAS IN SUPPORT OF THE LOCAL TAXPAYER, PUBLIC SAFETY, AND TRANSPORTATION PROTECTION ACT OF 2010.**

City Manager Michaelis reported that Proposition 1A was approved by the voters to protect local government revenue from being taken by the state to address their budget issues. However, the state legislature recently adopted a budget that takes and borrows from local government and threatens to borrow or take billions in transportation funds every year. He said in October 2009 a coalition of agencies, including the League of California Cities, filed a ballot measure initiative entitled 'The Local Taxpayer, Public Safety, and Transportation Protection Act of 2010' to prohibit the State from taking, borrowing or redirecting local taxpayer funds dedicated to public safety, emergency response, and other vital local government services. He said the initiative is in the process of collecting signatures required to qualify for the November 2010 ballot. Staff recommended that the City Council adopt Resolution No. 10-09 in support of the Local Taxpayer, Public Safety, and Transportation Protection Act.

After the title was read, it was moved by Councilmember Badar, seconded by Councilmember Ebner, to waive further reading and adopt **RESOLUTION NO. 10-09, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN DIMAS IN SUPPORT OF THE LOCAL TAXPAYER, PUBLIC SAFETY, AND TRANSPORTATION PROTECTION ACT OF 2010.** The motion carried unanimously.

RECESS

Mayor Morris recessed the meeting at 9:01 p.m. The regular meeting reconvened at 9:12 p.m.

8. SAN DIMAS REDEVELOPMENT AGENCY

Mayor Morris recessed the regular meeting at 9:12 p.m. and convened a meeting of the San Dimas Redevelopment Agency Board of Directors. The regular meeting was reconvened at 9:13 p.m.

9. ORAL COMMUNICATIONS (Speakers are limited to five (5) minutes or as may be determined by the Chair.)

a. Members of the Audience

1) **Sid Maksoudian** mentioned that when he reported that Saffron was given a Temporary Use Permit to put up a banner for 30 days and the period has expired, he was directed to Mr. Duran. He added that Saffron changed ownership in December.

b. City Manager

- 1) Select a date for the Spring City Council - Staff Retreat - possible dates Monday April 5 or 19th; Saturday April 17th; Friday April 16th.

It was the consensus of the City Council to meet for the Spring City Council-Staff Retreat on Monday, April 19, 2010, 5:00 p.m. - 9:00 p.m.

2) Mr. Michaelis reported that during the renovation of city hall, City Council meetings will be temporarily held in the Multi-Purpose Room at the Senior Citizen/Community Center and to accommodate the move to the Temporary City Hall at 186 Village Court, the City Hall building will be closed all day Friday, March 5, 2010 and reopen at 1:00 p.m. on Monday, March 8, 2010 to allow employees to set up their work stations at the relocated site. He added that all city hall telephone numbers remain the same.

3) Mr. Michaelis offered the opportunity to tune in to Channel 3 for *Ask the Mayor* on Thursday, February 25, at 7:00 p.m. He said the telephone number is listed at the bottom of the screen on Channel 3. Live questions are taken as well.

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.

Councilmember Templeman said he and Councilmember Badar attended the Three Valleys Municipal Water District Leadership Breakfast on Thursday, February 18, 2010. He commended the keynote speaker Dr. Linnea McCord, Associate Professor of Business Law at the Graziadio School of Business and Management of Pepperdine University whose topic focused on the future being up to the people. He said she believes the Courts will take the leadership role in the financial future of the nation.

Councilmember Badar said the discussion focused on the course of the nation from a very experienced worldly Lady.

- 2) Appointments to Public Safety Commission

a) City Manager Michaelis reported that there are eight Public Safety Commissioners eligible for reappointment and two members declined.

It was moved by Councilmember Badar, seconded by Councilmember Templeman to appoint Arthur Alva, Tomas Molina, Paul Kirby, Ted Ross and CAB Karol Curtis and CAB Alan Nash to a two-year term expiring February, 2012. The motion carried unanimously.

The City Clerk was directed to advertise for the two vacancies.

b) Councilmember Templeman reported one vacancy on the Equestrian Commission and said a recommendation for appointment will be conducted at the next City Council meeting.

3) Individual Members' comments and updates.

a) Councilmember Templeman announced that the Sheriff's Booster Club recognition dinner will be held on June 4, 2010 at Via Verde and mentioned that Councilmember Badar is the new Emcee.

Councilmember Badar said the Guest Speaker will be Sheriff Lee Baca and the Public Safety Commissioners will be present. He looks forward to the activities and encouraged everyone to attend. He mentioned that the last two Citizens of the Year came out of the Sheriff's Boosters.

Councilmember Templeman said the San Dimas Station has the largest Reserve Deputy unit of any other Station in the County and encouraged support of the Sheriff's Boosters to recognize all volunteers. He acknowledged Charles McCants who volunteers in Disaster Communications.

b) At the request of Councilmember Badar, Mr. Duran outlined the activities for Students on Wednesday morning starting with breakfast, a brief overview of city government, tour of city hall with their counterparts, bus tour of the city projects, and conclude with lunch at Ladera Serra Park in Via Verde.

c) Mayor Pro Tem Bertone said the Toast of the Town previously announced by Chamber President Powl is the last event to be held in the Community Building before the renovation. He said it is a great event for only \$25 featuring 17 restaurants and wine provided by the Fairplex.

10. ADJOURNMENT

Mayor Morris adjourned the meeting at 9:39 p.m. in honor and memory of Pastor Shelter T. White, Emmanuel Missionary Baptist Church and Richard Massow, former Chairman of the Board, Chamber of Commerce, and who also served on the City's Development Plan Review Board. The next meeting is 7:00 p.m., March 9, 2010, Multi-Purpose Room at the Senior Citizen/Community Center, 201 East Bonita Avenue.

Respectfully submitted,

Ina Rios, CMC, City Clerk