



MINUTES
REGULAR CITY COUNCIL
TUESDAY, SEPTEMBER 14, 2010, 7:00 P. M.
MULTI-PURPOSE ROOM
SENIOR CITIZEN/COMMUNITY CENTER
201 E. BONITA AVENUE

PRESENT:

Mayor Curtis W. Morris
Mayor Pro Tem John Ebner
Councilmember Emmett Badar
Councilmember Denis Bertone
Councilmember Jeff Templeman

City Manager Blaine Michaelis
City Attorney J. Kenneth Brown
City Clerk Ina Rios
Assistant City Manager of Community Development Larry Stevens
Assistant City Manager Ken Duran
Director of Public Works Krishna Patel
Director of Parks and Recreation Theresa Bruns
Building and Safety Superintendent Eric Beilstein
Recreation Coordinator Tanya Taylor

ABSENT:

Director of Development Services Dan Coleman

1. CALL TO ORDER AND FLAG SALUTE

Mayor Morris called the meeting to order at 7:02 p.m. and led the flag salute.

2. ANNOUNCEMENTS

➤ 50th Anniversary Flashbacks

Bill Emerson, Representative, San Dimas Historical Society, reported events from 1975: Reynolds Metal Company of Los Angeles recycled the closed gas station at corner of Arrow Hwy. and Lone Hill into a recycling center; The City Council agreed to purchase old San Dimas Elementary School site for \$66,300, for development into Pioneer Park; He said Knead Wrecking Company was awarded \$12,800 to demolish the elementary school site; 85 families moved in San Dimas - 14 moved into Cimarron Creek, 3 into Villa DePalma, 3 into Tiburon, 5 into Montecino; 21 into Via Verde; and the remainder into other areas of San Dimas.

➤ San Dimas 5K and 1 mile Family Fun Run and Family Fitness Fair for Saturday, September 25, 2010.

Recreation Coordinator Taylor announced the 50th Anniversary 5K and 1 Mile Family Fun Run to take place on Saturday, September 25, 2010, at 7:30 a.m. and 8:30 a.m. respectively. Pre-registration ends Wednesday, September 22, 2010 at 5:30 p.m., or participants can register at 6:30 a.m. the day of the race. She said a healthy breakfast will be available for participants.

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

Pui-Ching Ho, Library Manager, San Dimas Library, invited families and children to join the Family Drum Circle beginning September 15 for fun exploring a variety of percussion instruments. She invited innovative, energetic teens, grade 6-12, to come to the Teen Advisory Board meeting on Saturday, September 18, 12:00 p.m., for input and help recommending materials for purchase and promoting Library programs and services to other teens. Mystery Authors Hannah Dennison, Dorothy Howell, Kathryn Lilley, Harley Janes Kozak, and Avery Aames will be at the Library on Saturday, September 18 to discuss writing humorous crime novels and their latest books. She said this free event is sponsored by Sisters in Crime, Speakers Bureau, Los Angeles Chapter. For more information, call the Library at (909) 599-6738. Mark your calendars for the Friends of the San Dimas Library Book Sale that will be held Friday through Sunday, October 1-3, during Western Days.

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

1) Dennis Phillips said City Attorney Brown visited his property where street improvements and the second driveway approach are underway. Mr. Phillips stated that he is a car collector and apparently his cars are the subject of code enforcement. He stated that he was sentenced to work at the Caltrans Tree Farm as a violation of probation and as a result, the room addition will not get done as quickly as he hoped this year. He added that it was his decision to remove the second driveway approach and thanked Public Works Director Patel and his crew for their fast response and assistance.

2) Jimmy Clayton said the City hired Champion Paving to slurry seal Teague Drive with two coats, and representatives are still waiting for the second coat. Representatives of the units secured another bid for one-half the cost and they are completely satisfied with the slurry work.

3) Graham Bristow is grateful for the approval of the 3rd Annual Jackie Bristow Memorial Race in remembrance of his daughter, Jackie Bristow, who passed away in 2008 from complications from an eating disorder. He said the race is held not only as a memorial for Jackie, but as educational awareness for the community for eating disorders. He said over the past two years over \$15,000 has been donated to charities that support anti-eating disorder movements. Last year a Coaches Clinic was started to help them be aware of warning signs in athletes, especially female athletes, and the program will be expanded to parents, teachers, and students in local areas. He thanked the Council for their support and praised staff for their assistance. He invited the community to come to the race on January 8, 2011.

3) Shelbie Moore, ASB student, Lone Hill Middle School, reported on the Sixth Grade elections, first school dance, Magazine turn, Student Council Meeting, and athletic activities.

4) Aunisha Leffridge, ASB President, added that students who jump two levels on their CST will earn an In-N-Out double-double hamburger; and a new program Language! will be available for grades 6-8 to focus on increasing reading levels.

In response to Councilmember Templeman, the girls reported that Red Ribbon Week will be celebrated on October 23rd.

5) Jessica Vala, ASB Executive Board President, San Dimas High School, said students are planning their Fall Sports Rally and invited the City Council to their football game Friday, at 7:00 p.m. to recognize the people who serve the community. Other events include the Gladstone Walk-a-Thon on September 29th and Renaissance on October 7th to recognize students who have achieved a certain GPA level. She added that seniors in the Economic Class have to make and present their own business plans. She said all students are pleased with their teachers and schedules and are working hard to improve their grades.

6) Sid Maksoudian stated he is disturbed by the discrimination against him, which should not be tolerated in this city.

7) Margie Green invited everyone to come out to Western Days and San Dimas Rodeo, on Saturday and Sunday, October 2-3, 2010, to enjoy various fun activities including arts and crafts, Indian Pow Wow, Business Expo, and a great parade. She said the Chamber of Commerce is assisting with these events and is in need of volunteers. Contact the Chamber of Commerce if you would like to volunteer your time.

8) Ted Powl, President/CEO, Chamber of Commerce, encouraged participation in the parade for Western Days and said they are in need of equestrians to participate in the parade.

Councilmember Templeman asked Mr. Duran to email the Equestrian Commissioners to direct them toward the Chamber.

9) Ted Powl, representing the Inland Valley Hope Partners, one of the only emergency family housing organizations in the Pomona Valley that provides emergency family housing and a food security program for people in local communities, including San Dimas. He said last year, the organization raised approximately \$60,000 and the goal this year is to raise \$100,000 to support this effort. He invited participation in the Walk for the Hungry fundraiser in Ontario, in October. For more information, contact Mr. Powl at the Chamber Office.

10) Joe Fransen, representing the Soroptomist International of San Dimas-La Verne, thanked community volunteers who came to Target, and were included in the Bonita Children's Shopping Day program to help the children select shoes and clothes. He said approximately 115 children were clothed and fed healthy breakfasts with the support and help of Target in San Dimas. He said an annual fundraiser is conducted at the Avalon in Pomona to support this function and he invited anyone interested to join them next year.

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 or audience requests removal for separate discussion.)

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

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

(1) **RESOLUTION NO. 2010-47, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN DIMAS, CALIFORNIA, APPROVING CERTAIN DEMANDS FOR THE MONTHS OF AUGUST AND SEPTEMBER 2010.**

b. Approval of minutes for regular City Council meeting of August 24, 2010 and special meeting of August 24, 2010.

- c. Approve Jackie Bristow Memorial 5K and 1 Mile running road race on January 8, 2011. Restricted closure of certain streets within the downtown area on Saturday, January 8, 2011 from 6:00 a.m. to 12:00 p.m.
- d. Reject claim for damages from Verizon.
- e. Reject claim for damages from Justin and Monique Cain.
- f. Proclaim September, 2010 as National Alcohol and Drug Addiction Recovery Month.
- g. Proclaim September, 2010 as Childhood Cancer Awareness Month.

END OF CONSENT CALENDAR

5. OTHER MATTERS

- a. Award bid in the amount of \$125,960 to K&Z Cabinets, for Bid Package #38 - Millwork - renovation work for the City Council Chambers.

City Manager Michaelis reported that award of bids for some of the work for the city hall, plaza and community building renovation was postponed to determine specifics of the work by design and bidding during the construction process. He said the work will bring the Chambers into ADA compliance, realign staff tables and audience seating, and include changes to the function and extent of wood work to be completed in the Council Chambers and paneling replacement in a staff conference room, as discussed on July 13 and August 24. Staff recommended award of bid packet #38 - millwork to K&Z Cabinets in the amount of \$125,960, to complete the extended work in the Council Chambers and staff conference room. He said project contingency money is available to address the net increase in cost for this work; and he requested direction if the Council wishes to remove bullet guard from work to be completed.

Councilmember Bertone said he does not want to vote against ADA requirements and asked if it were possible to itemize expenses on the work.

Mayor Morris suggested that Councilmember Bertone make a statement that he would vote for ADA related issues, without supporting the entire bid. He did not believe a breakdown of costs was possible.

- b. Award bid in the amount of \$40,500 to Inland Building, for Bid Package #39 - Signage.

Mr. Michaelis stated that bids for the project came in under the estimated costs and recommended award of bid packet #39 - Signage to Inland Building in the amount of \$40,500, to meet code requirements to label and sign certain doors, uses and areas of the building.

Mayor Morris stated that action would be taken first on Bid Package #39 for Signage.

It was moved by Councilmember Bertone, seconded by Councilmember Templeman, to award bid in the amount of \$40,500 to Inland Building, for Bid Package #39 - Signage. The motion carried unanimously.

Mayor Morris asked for action to be taken on Bid Package #38 for Millwork, extended work to City Council Chambers and staff conference room.

Councilmember Bertone stated that he would vote for ADA requirements, but he would vote against the bid package #38 because he felt the work is unnecessary.

Councilmember Templeman commented that the project is in need of rebuilding the interior of the Chambers and staff conference room and he moved to award bid in the amount of \$125,960 to K&Z Cabinets, for Bid Package #38 - Millwork - renovation work for the City Council Chambers. The motion was seconded by Councilmember Badar and carried by the following vote:

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

- c. Request to consider closure of Bonita Avenue and certain streets within the Downtown Area on Friday, October 22, 2010 at 3:30 p.m. for the 3rd Annual San Dimas High School Homecoming Parade.

Director of Public Works Patel said a request was received from San Dimas High School to hold their Third Annual Homecoming Parade downtown on Bonita Avenue, from Iglesia to Monte Vista, and staging would be held at Iglesia between Second Street and Bonita Avenue. He said the event would require street closure from 2:30 - 5:30 p.m. to set up and take down traffic controls. He provided background on last year's parade and said a post-event meeting was held with the event coordinator to discuss merchant and staff concerns and to encourage an alternate parade route. ASB Advisor Terry Casey said the school will invite businesses to advertise in their program and he confirmed he would be on site coordinating the event, and be available to staff via cell phone. Staff recommended approval of the Homecoming Parade on Friday, October 22, and staff will provide traffic control services at a cost of \$2,000 for the closure of Bonita Avenue from Iglesia Street to Monte Vista, Iglesia Street from First Street to Bonita Avenue; and Monte Vista from Bonita Avenue to First Street. He said following Council approval, he will take the item to the Traffic Safety Committee for consent approval.

In response to Council, Mr. Patel replied that merchants were invited to last year's post event meeting with the Vice Principal and there was no response to his email and letters. He said traffic would be detoured at Cataract, and First Street would remain open. He added that the parking lot would be partially closed to allow staging and parents to park their vehicles. He said the remainder of the lot would be open to the public. He said the streets would be closed at 2:30 p.m., and the Parade would start at 3:00 p.m. and conclude at approximately 3:30 p.m.

Mayor Morris invited audience comments.

- 1) Sid Maksoudian said he cannot justify taxpayers cost of \$2,000 for a high school parade that he feels lacks organization and attendance. He stated there are other routes closer to the school that can accommodate the parade and not impact the downtown merchants.
- 2) Michael Kelly, Principal, San Dimas High School, thanked the City Council for past support given to the High School to have their Homecoming Parade similar to other high schools in surrounding communities. He said over the past two years he has watched the parade grow and people enjoy coming together as a community. He requested the City Council to approve the Homecoming Parade because the kids deserve it, the community deserves it, and the parents love to see their kids in the parade.

It was moved by Councilmember Templeman, seconded by Mayor Pro Tem Ebiner, to approve the Homecoming Parade on Friday, October 22, 2010, and direct staff to provide traffic control services for the closure of Bonita Avenue from Iglesia Street to Monte Vista; Iglesia Street from First Street to Bonita Avenue; and Monte Vista from Bonita Avenue to First Street.

Mayor Morris stated that the Bonita Corridor meeting is held the first Thursday of each month and many of the merchants that attended the meeting authorized him to convey their support for the parade.

The motion carried unanimously.

- d. Letter to the California High Speed Rail Project - request for additional time for analysis and problem solving - consideration of route alternatives that minimize any impact of San Dimas residents.

City Manager Michaelis reported that California Voters approved the planned high-speed rail system in California. The second phase of the project runs from downtown Los Angeles to Ontario Airport through the San Gabriel Valley on its way to San Diego and is expected to cost \$40 billion. Mr. Michaelis said meetings were held with staff members of the California High Speed Rail Authority to get more details of the routes being considered and impacts on San Dimas. Mr. Michaelis said staff communicated the challenge and impact of placing the high speed train on top of the Metrolink system and offered that there would be less disruption of residential areas if the train were kept to the south side of the Interstate 10 freeway. He said San Gabriel cities and the San Gabriel Valley Council of Governments have asked the Authority to take the time to make sure cities and residents have a good understanding of the proposals for the project. Staff recommended authorizing the Mayor to sign a letter to the Authority requesting additional time and consideration of route alternatives that preserve neighborhoods and businesses.

Councilmember Bertone said voters approved \$11 billion for the project, however, the project will cost \$40 billion and over time the cost would increase to \$120 billion. He asked City Manager Michaelis to explain the tunneling under Via Verde.

Mayor Morris said he read in the newspaper that the Japanese offered to design, supply equipment, and finance a portion of the project.

Mr. Michaelis said public meetings would be scheduled to inform the public. He explained that the high-speed rail must maintain grades and turning radius that allow for it to achieve speeds necessary to reach the destination in time and meet requirements of the High Speed Rail Authority. He said if the Authority uses Interstate-10 freeway corridor, Kellogg Hill presents a problem and one solution is a subterranean tunnel. If the north side of the 10 freeway is utilized, a tunnel system would go under portions of Via Verde on that alignment and come up around Covina Hills Road to continue on the path. Mr. Michaelis said there are a number of alternatives that must be explored and each may have some impact to our community.

It was moved by Mayor Pro Tem Ebner, seconded by Councilmember Bertone, to authorize the Mayor to sign the letter to the California High Speed Rail Authority requesting additional time to consider route alternatives that would minimize impacts on adjacent neighborhoods and businesses. The motion carried unanimously.

6. SAN DIMAS REDEVELOPMENT AGENCY

Mayor Morris recessed the regular meeting at 8:06 p.m. to convene a meeting of the San Dimas Redevelopment Agency Board of Directors. The regular meeting reconvened at 8:14 p.m..

7. ORAL COMMUNICATIONS

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

- 1) Sid Maksoudian stated that only about six out of approximately 35 merchants attend the Bonita Corridor meetings and those few do not represent the majority of merchants in the downtown.
- 2) Sid Maksoudian said about two weeks ago there was a fire underneath the 57 Freeway and San Dimas Avenue was blocked to through traffic. He said officers were unable to guide him to Via Verde and after he found a solution, he contacted the Sheriff's Station to offer directions.
- 3) David Harbin praised the Mayor and said San Dimas is a great city. He objected to Mr. Maksoudian's criticism of his personal friends and the high school students.

- 4) Margie Green stated that in the past few years she has gone to the Bonita Corridor meetings, attendance has grown to 20 or more downtown merchants. She said the Bonita Corridor is there to help promote the downtown area and merchants are happy about having the Homecoming parade.
- 5) Margie Green thanked the Fire Department for putting out a fire behind her backyard.
- 6) Margie Green reminded everyone about Western Days on October 2 and 3, 2010, and said it will be a great event with many fun activities. She said there will be people in the parade and hopes there will be horses. She encouraged equestrians and volunteers to contact the Chamber to help out.

b. City Manager

- 1) Update on City Hall, Civic Center, and Stanley Plummer expansion and renovation project.

Superintendent of Building and Safety Beilstein provided a Powerpoint presentation of the chronological snapshots of construction over the last month at the city hall, community building and plaza project. Included were slides of the I-beam signed by the City Council and staff; different angles of the vapor barrier at the Plummer building expansion; removal of plaza construction debris; seismic defects found and broken block walls due to lack of sheer wall connections; A/C ducts; roofing metal deck; interior framing of offices; A/C units in the basement; storage, receptionist and copy room areas; the southerly addition and breezeway; decorative coffered ceiling; and the mechanical pad outside the Plummer building.

In response to Councilmember Templeman, Mr. Beilstein replied that the project is half-way through and on schedule.

- 2) Meeting dates and times for the Fall City Council/Staff Retreat to be held at the San Dimas Sheriff's Station:
Monday, October 4, 2010, 5:00-9:00 p.m.
Saturday, October 9, 2010, 8:00 a.m. - Noon
Monday, October 11, 2010, 5:00-9:00 p.m.

It was the consensus of the City Council to schedule the Fall City Council/Staff Retreat on Monday, October 11, 2010, from 5:00 -9:00 p.m.

c. City Attorney

There were no comments.

d. Members of the City Council

- 1) Request to nominate and support Councilmember Margaret Clark of Rosemead to represent San Dimas on the San Gabriel Basin Water Quality Authority Board.

RESOLUTION NO. 2010-48, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN DIMAS, CALIFORNIA, NOMINATING ROSEMEAD COUNCILMEMBER MARGARET CLARK TO REPRESENT CITIES WITHOUT PRESCRIPTIVE WATER RIGHTS ON THE BOARD OF THE SAN GABRIEL BASIN WATER QUALITY AUTHORITY.

Mayor Morris reported that cities without prescriptive pumping rights have an opportunity to nominate a Board Member to represent them on the San Gabriel Basin Water Quality Authority. Councilmember Margaret Clark has represented the City of San Dimas since 1993.

After the title was read, it was moved by Councilmember Bertone, seconded by Councilmember Templeman, to waive further reading and adopt **RESOLUTION NO. 2010-48**, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN DIMAS, CALIFORNIA, NOMINATING ROSEMEAD COUNCILMEMBER MARGARET CLARK TO REPRESENT CITIES WITHOUT PRESCRIPTIVE WATER RIGHTS ON THE BOARD OF THE SAN GABRIEL BASIN WATER QUALITY AUTHORITY. The motion carried unanimously.

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

There was no report.

- 3) Individual Members' comments and updates.

- a) Councilmember Templeman cited an editorial in the San Gabriel Valley Tribune discussing redevelopment problems and business problems in the entire state and he thought it would be appropriate for the Metropolitan Transportation Authority to read the article.

- b) In response to Mr. Maksoudian's comments, Councilmember Templeman listed several downtown businesses he patronizes and said he is not trying to destroy the downtown businesses.

- c) Councilmember Bertone said 31 incorporated cities in the San Gabriel Valley are members of the San Gabriel Valley Council of Governments (COG), an organization that attempts to get our fair share of State and Federal funds. He said Mr. Stevens is very active in the COG and the Technical Advisory Committee (TAC) and Mr. Michaelis is active in the COG. Mr. Bertone said as an example, through the efforts of the COG, the Rivers Mountains Conservancy (RMC) brought in over \$70,000 to the San Gabriel Valley.

8. CLOSED SESSION

Mayor Morris recessed at 8:37 p.m. to convene the closed session pursuant to Government Code Section 54956.9:

- a. **CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION
(SUBDIVISION (b)(3)(C) OF GOVERNMENT CODE SECTION 54956.9)**

Receipt of claim filed on August 17, 2010 by Robert T. Mathis II against the City of San Dimas

- b. Report on closed session.

After discussion with the City Attorney, the City Council gave direction that the City Clerk return to Mr. Mathis the claim he filed because it was not timely filed.

9. MEMORIAL ADJOURNMENT

Mayor Morris adjourned the meeting at 9:25 p.m. in observance of 9-11-01. The next meeting is 7:00 p.m. on September 28, 2010.

Respectfully submitted,

Ina Rios, CMC, City Clerk