



**AGENDA**  
**REGULAR CITY COUNCIL /**  
**REDEVELOPMENT AGENCY MEETING**  
**TUESDAY, OCTOBER 12, 2010, 7:00 P. M.**  
**SENIOR CITIZEN/COMMUNITY CENTER**  
**MULTIPURPOSE ROOM, 201 E. BONITA AVE.**

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**CITY COUNCIL:**

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

**1. CALL TO ORDER AND FLAG SALUTE**

**2. RECOGNITIONS**

- Proclaim October 2010 as Fire Prevention Month
- Presentation of Urban Forestry Award by Rebecca Latta, California Urban Forests Council

**3. PRESENTATIONS**

- 50th Anniversary Flashbacks
- Pui-Ching Ho, Library Manager, San Dimas Library

**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

**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.)

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

- (1) **Resolution No. 2010-52**, A Resolution of the City Council of the City of San Dimas Approving certain demands for the months of September and October, 2010.
- (2) **Resolution No. 2010-53**, A Resolution of the City Council of the City of San Dimas Calling and giving notice of the holding of a General Municipal Election to be held on Tuesday, March 8, 2011, for the election of certain officers as required by the provisions of the laws of the State of California relating to general law cities.

- (3) **Resolution No. 2010-54**, A Resolution of the City Council of the City of San Dimas Requesting the Board of Supervisors of the County of Los Angeles to render specified services to the City relating to the conduct of a General Municipal Election to be held on Tuesday, March 8, 2011.
  - (4) **Resolution No. 2010-55**, A Resolution of the City Council of the City of San Dimas, County of Los Angeles, State of California, adopting regulations for candidates for elective office pertaining to candidate statements submitted to the voters at an election to be held on Tuesday, March 8, 2011.
- b. Approval of minutes for September 28, 2010 regular City Council meeting.
  - c. Award of Cash Contract 2010-09, Pavement Preservation Slurry Project in Maintenance Zone "G", to Doug Martin Contracting Company, Inc., in the amount of \$347,834.12.
  - d. Proclamation honoring the dedication of the Bishop Amat Memorial High School Alumni Military Memorial and Existing Vietnam War Memorial.
  - e. Addition of Part-Time Assistant Planner classification to the City's Pay Plan and Reimbursement Schedule. **MINUTE RESOLUTION**

END OF CONSENT CALENDAR

## 6. OTHER MATTERS

- a. A Request to initiate a Municipal Code Text Amendment of Chapter 13.16.400 pertaining to Dog Park Rules.
  - 1) **ORDINANCE NO. 1197**, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN DIMAS, CALIFORNIA, AMENDING CHAPTER 13.16.400 REGARDING REVISION OF THE DOG PARK RULES. **INTRODUCTION AND FIRST READING**
- b. Adopt Resolution in support of Proposition 22 - The Local Taxpayer, Public Safety and Transportation Protection Act of 2010.
  - 1) **RESOLUTION NO. 2010-56**, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN DIMAS, CALIFORNIA, IN SUPPORT OF PROPOSITION 22 - THE LOCAL TAXPAYER, PUBLIC SAFETY AND TRANSPORTATION PROTECTION ACT OF 2010.

## 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 September 28, 2010 meeting.
- c. Executive Director
  - 1) Status on current projects.
- 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
  - 1) Update on City Hall, Civic Center, and Stanley Plummer expansion and renovation project.
- 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 next meeting is on October 26, 2010, 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://cityofsandimas.com/minutes.cfm>.

**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 186 VILLAGE COURT 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 OCTOBER 8, 2010, A TRUE AND CORRECT COPY OF THIS AGENDA WAS POSTED ON THE BULLETIN BOARDS AT 201 EAST BONITA AVENUE (SAN DIMAS SENIOR CITIZEN/COMMUNITY CENTER); 186 VILLAGE COURT (SAN DIMAS TEMPORARY 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 CONVENIENCE, AT THE VONS SHOPPING CENTER (PUENTE/VIA VERDE) AND THE CITY'S WEBSITE AT [WWW.CITYOFSANDIMAS.COM/MINUTES.CFM](http://WWW.CITYOFSANDIMAS.COM/MINUTES.CFM).

**RESOLUTION NO. 2010-52**

A RESOLUTION OF THE CITY COUNCIL OF THE  
CITY OF SAN DIMAS, CALIFORNIA, APPROVING  
CERTAIN DEMANDS FOR THE MONTHS OF  
SEPTEMBER AND OCTOBER 2010

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 Prepaid Warrant Register: 09/30/10; 21481 through 21552; in the amount  
of \$630,217.89; Warrant Register: 10/15/10; 132981 through 133117; in the amount of  
\$659,969.44.

PASSED, APPROVED AND ADOPTED THIS 12th DAY OF OCTOBER, 2010.

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

ATTEST:

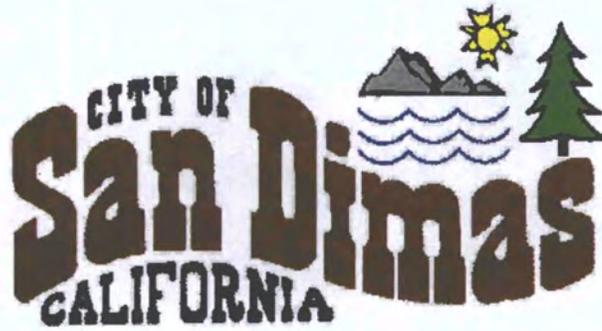
\_\_\_\_\_  
Ina Rios, CMC, City Clerk

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 October 12, 2010, by the following  
vote:

AYES:  
NOES:  
ABSENT:  
ABSTAIN:

\_\_\_\_\_  
Ina Rios, CMC, City Clerk

5. a. 1



***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.***



# Agenda Item Staff Report

**To:** Honorable Mayor and Members of the City Council  
*For the meeting of October 12, 2010*

**From:** Blaine Michaelis, City Manager

**Initiated by:** Ina Rios, CMC, City Clerk

**Subject:** MARCH 8, 2011 GENERAL MUNICIPAL ELECTION:

## SUMMARY

The City of San Dimas' General Municipal Election is scheduled for Tuesday, March 8, 2011.

Staff recommends adoption of Resolution No. 2010-53; Resolution No. 2010-54, and Resolution No. 2010-55.

## BACKGROUND:

Pursuant to California Elections Code Section 1301, the City of San Dimas General Municipal is held on the first Tuesday after the first Monday in March of each odd-number year. The City of San Dimas' General Municipal Election is scheduled for Tuesday, March 8, 2011. In preparation for the election, adoption of procedural resolutions is necessary to commence the election process.

The nomination period for the elective offices begins Monday, November 15, 2010 and ends at 5:00 p.m. on Friday, December 10, 2010. If an incumbent does not file, the nomination period will be extended through 5:00 p.m., Wednesday, December 15, 2010, for non-incumbents.

## RECOMMENDATION

Staff is recommending that the City Council adopt the following resolutions:

- 1) **Resolution No. 2010-53** calls for and gives notice of the Election for the offices of Mayor (Morris) and two (2) members of the City Council (Badar and Ebner). Should Council decide to ADD a measure to the ballot, it must be approved at the November 23, 2010 City Council meeting.
- 2) **Resolution No. 2010-54** requests the County of Los Angeles Board of Supervisors to render specified services to the City and its election supplier.
- 3) **Resolution No. 2010-55** sets forth regulations for Candidate's Statements which limit the length of the statement to 200 words, and requires a deposit (\$900) paid at the time of filing, to cover actual costs for printing and handling in English and Spanish. In addition, the candidate shall be required to pay (\$175) for the cost of translating the candidate statements into any **required foreign language (Spanish)** and (\$175 each) for the cost of translating the candidate statement into any foreign language that is **not required**, but is requested as an option by the candidate (pursuant to State and Federal law).

**RESOLUTION NO. 2010-53**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN DIMAS,  
COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, CALLING AND GIVING  
NOTICE OF THE HOLDING OF A GENERAL MUNICIPAL ELECTION TO BE HELD  
ON TUESDAY, MARCH 8, 2011, FOR THE ELECTION OF CERTAIN OFFICERS AS  
REQUIRED BY THE PROVISIONS OF THE LAWS OF THE STATE OF CALIFORNIA  
RELATING TO GENERAL LAW CITIES**

WHEREAS, under the provisions of the laws relating to general law cities in the State of California, a General Municipal Election shall be held on Tuesday, March 8, 2011, for the election of Municipal Officers.

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF SAN DIMAS,  
CALIFORNIA, DOES RESOLVE, DECLARE, DETERMINE, AND ORDER AS FOLLOWS:

Section 1. That pursuant to the requirements of the laws of the State of California relating to General Law Cities, there is called and ordered to be held in the City of San Dimas, California, on Tuesday, March 8, 2011, a General Municipal Election for the purpose of electing a Mayor for the full term of two years; and two members of the City Council for the full term of four years.

Section 2. That the ballots to be used at the election shall be in form and content as required by law.

Section 3. That the City Clerk is authorized, instructed and directed to procure and furnish any and all official ballots, notices, printed matter and all supplies, equipment and paraphernalia that may be necessary in order to properly and lawfully conduct the election.

Section 4. That the polls for the election shall be open at seven o'clock a.m. of the day of the election and shall remain open continuously from that time until eight o'clock p.m. of the same day when the polls shall be closed, pursuant to Election Code Section 10242, except as provided in Section 14401 of the Elections Code of the State of California.

Section 5. That pursuant to Election Code Section 12310, a stipend for services for the persons named as precinct board members is fixed at the sum of \$100.00 for each Inspector and \$80.00 for each Clerk for the election. In addition, the sum of \$25.00 shall be paid to each precinct board member to attend a training class; the sum of \$25.00 shall be paid to each precinct board member fluent in the Spanish language with the ability to translate election documents and assist voters; and the sum of \$10.00 shall be paid to each Inspector or their designee to have available a cell phone for communication during the election. The rental for each polling place, where a charge is made, shall be the sum of \$25.00 for the election. When required, the compensation of the Custodian of a building shall be \$25.00 for the election.

Section 6. That in all particulars not recited in this Resolution, the election shall be held and conducted as provided by law for holding municipal elections.

Section 7. That notice of the time and place of holding the election is given and the City Clerk is authorized, instructed, and directed to give further or additional notice of the election, in time, form, and manner as required by law.

Section 8. That the City Council authorizes the City Clerk to administer said election and all reasonable and actual election expenses shall be paid by the City upon presentation of a properly submitted invoice.

Section 9. That the City Clerk shall certify to the passage and adoption of this Resolution and enter it into the book of original Resolutions.

PASSED, APPROVED AND ADOPTED THIS 12<sup>th</sup> day of October, 2010.

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

ATTEST:

\_\_\_\_\_  
Ina Rios, CMC, City Clerk

I HEREBY CERTIFY that the foregoing Resolution No. 2010-53 was adopted by vote of the City Council of the City of San Dimas at its regular meeting of October 12, 2010, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

\_\_\_\_\_  
Ina Rios, CMC, City Clerk

**RESOLUTION NO. 2010-54**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN DIMAS,  
COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, REQUESTING  
THE BOARD OF SUPERVISORS OF THE COUNTY OF LOS ANGELES  
TO RENDER SPECIFIED SERVICES TO THE CITY RELATING TO THE CONDUCT  
OF A GENERAL MUNICIPAL ELECTION TO BE HELD ON  
TUESDAY, MARCH 8, 2011**

WHEREAS, a General Municipal Election is to be held in the City of San Dimas, California, on Tuesday, March 8, 2011; and

WHEREAS, in the course of conduct of the election it is necessary for the City to request services of the County; and

WHEREAS, all necessary expenses in performing these services shall be paid by the City of San Dimas.

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF SAN DIMAS, CALIFORNIA, DOES RESOLVE, DECLARE, DETERMINE, AND ORDER AS FOLLOWS:

Section 1. That pursuant to the provisions of Section 10002 of the Elections Code of the State of California, this City Council requests the Board of Supervisors of the County to permit the County Election Department to prepare and furnish the following for use in conducting the election:

1. A listing of County precincts with number of registered voters in each, so city may consolidate election precincts into city voting precincts, and maps of the voting precincts;
2. A list of polling places and poll workers the County uses for their elections;
3. The computer record of the names and addresses of all eligible registered voters in the city in order that the City's Consultant may:
  - a. Produce labels for vote-by-mail voters;
  - b. Produce labels for sample ballot pamphlets;
  - c. Print rosters of voters and Street Indexes;
4. Voter signature verification services as needed;
5. Make available to the City election equipment and assistance as needed according to state law.

Section 2. That the City shall reimburse the County for services performed when the work is completed and upon presentation to the City of a properly approved bill.

Section 3. That the City Clerk is directed to forward without delay to the Board of Supervisors and to the County Election Department, each a certified copy of this Resolution.

Section 4. That the City Clerk shall certify to the passage and adoption of this Resolution and enter it into the book of original Resolutions.

PASSED, APPROVED AND ADOPTED THIS 12<sup>th</sup> day of October, 2010.

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

ATTEST:

\_\_\_\_\_  
Ina Rios, CMC, City Clerk

I HEREBY CERTIFY that the foregoing Resolution No. 2010-54 was adopted by vote of the City Council of the City of San Dimas at its regular meeting of October 12, 2010, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

\_\_\_\_\_  
Ina Rios, CMC, City Clerk

## RESOLUTION NO. 2010-55

### **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN DIMAS, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, ADOPTING REGULATIONS FOR CANDIDATES FOR ELECTIVE OFFICE PERTAINING TO CANDIDATES STATEMENTS SUBMITTED TO THE VOTERS AT AN ELECTION TO BE HELD ON TUESDAY, MARCH 8, 2011.**

WHEREAS, Section 13307 of the Elections Code of the State of California provides that the governing body of any local agency adopt regulations pertaining to materials prepared by any candidate for a municipal election, including costs of the candidate's statement.

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF SAN DIMAS, DOES HEREBY RESOLVE, DECLARE, DETERMINE, AND ORDER AS FOLLOWS:

SECTION 1. GENERAL PROVISIONS. That pursuant to Section 13307 of the Elections Code of the State of California, each candidate for elective office to be voted for at an election to be held in the City of San Dimas on Tuesday, March 8, 2011, may prepare a candidate's statement on an appropriate form provided by the City Clerk. The statement may include the name, age and occupation of the candidate and a brief description of no more than 200 words of the candidate's education and qualifications expressed by the candidate himself or herself. The statement shall not include party affiliation of the candidate, nor membership or activity in partisan political organizations. The statement shall be filed in typewritten form in the office of the City Clerk at the time the candidate's nomination papers are filed. The statement may be withdrawn, but not changed, during the period for filing nomination papers and until 5:00 p.m. of the next working day after the close of the nomination period.

#### SECTION 2. FOREIGN LANGUAGE POLICY.

- A. Pursuant to the Federal Voting Rights Act, the city is required to translate candidate's statements into Spanish.
- B. Pursuant to state law, the candidate's statement must be translated and printed (in the voters pamphlet) in any language at the candidate's request.
- C. The City Clerk shall
  1. Translations:
    - a) Have all candidate's statements translated into Spanish as specified in (A) above.
    - b) Have translated those statements into the languages as requested by the candidate as specified in (B) above.
  2. Printing:
    - a) Print all translations of all candidate's statements pursuant to (A) above, in the main voter pamphlets. Main voter pamphlets will be in English and Spanish.
    - b) Print any translations of candidates who so request printing in the main voter pamphlet - the main voter pamphlet will be an English and Spanish pamphlet, also containing candidate statement translations if requested by the candidate.

### SECTION 3. PAYMENT.

#### A. Translations:

- 1) The candidate shall be required to pay for the cost of translating the candidate's statement into any required foreign language as specified in Section 2 (A) above, pursuant to State and Federal law.
- 2) The candidate shall be required to pay for the cost of translating the candidate statement into any foreign language that is not required as specified in Section 2 (B) above, pursuant to Federal and/or State law, but is requested as an option by the candidate.

#### B. Printing:

- 1) The candidate shall be required to pay for the cost of printing the candidate's statement in English in the main voter pamphlet. The candidate shall be required to pay for the cost of printing of the candidate statement in any foreign language required in the voter pamphlet as specified in Section 2 (A) above.
- 2) The candidate shall be required to pay for the cost of printing the candidate's statement in a foreign language in the main voter pamphlet that is not required, but is requested by the candidate per Section 2 (B) above.

The City Clerk shall estimate the total cost of printing, handling, translating, and mailing the candidate's statements filed pursuant to this section, including costs incurred as a result of complying with the Voting Rights Act of 1965 (as amended), and require each candidate filing a statement to pay in advance to the local agency his or her estimated pro rata share as a condition of having his or her statement included in the voter's pamphlet. In the event the estimated payment is required, the estimate is just an approximation of the actual cost that varies from one election to another election and may be significantly more or less than the estimate, depending on the actual number of candidates filing statements. Accordingly, the Clerk is not bound by the estimate and may, on a pro rata basis, bill the candidate for additional actual expense or refund any excess paid depending on the final actual cost. In the event of underpayment, the clerk may require the candidate to pay the balance of the cost incurred. In the event of overpayment, the Clerk shall prorate the excess amount among the candidates and refund the excess amount paid within 30 days of the election.

### SECTION 4. MISCELLANEOUS.

- A. All translations shall be provided by professionally-certified translators;
- B. The City Clerk shall comply with all recommendations and standards set forth by the California Secretary of State regarding occupational designations and other matters relating to elections.

SECTION 5. ADDITIONAL MATERIALS. No candidate will be permitted to include additional materials in the sample ballot package.

SECTION 6. That the City Clerk shall provide each candidate or the candidate's representative a copy of this Resolution at the time nominating petitions are issued.

SECTION 7. That all previous resolutions establishing City Council policy on payment for candidates statements are repealed.

SECTION 8. That this resolution shall apply only to the election to be held on March 8, 2011, and shall then be repealed.

SECTION 9. That the City Clerk shall certify to the passage and adoption of this Resolution and enter it into the book of original resolutions.

PASSED, APPROVED AND ADOPTED this 12<sup>th</sup> day of October 2010 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

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

ATTEST:

\_\_\_\_\_  
Ina Rios, CMC, City Clerk



**MINUTES**  
**REGULAR CITY COUNCIL**  
**TUESDAY, SEPTEMBER 28, 2010, 7:00 P. M.**  
**SENIOR CITIZEN/COMMUNITY CENTER,**  
**MULTIPURPOSE ROOM, 201 E. BONITA AVE.**

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**PRESENT:**

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

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  
Associate Planner Marco Espinoza

**ABSENT:**

Councilmember Jeff Templeman

**1. CALL TO ORDER AND FLAG SALUTE**

Mayor Morris called the meeting to order at 7:01 p.m. and led the flag salute.

**2. RECOGNITIONS**

- Proclaim October as National Planning Month

Mayor Morris read and presented to Development Services Director Coleman a Proclamation proclaiming October as National Community Planning Month.

**3. ANNOUNCEMENTS**

- 50th Anniversary Flashbacks

Bill Emerson, Representative, San Dimas Historical Society, recited news from the News Advertiser, September 22, 1966 that Bonita had their first game under lights and A & P Food Stores opened in Canyon Center. Mr. Emerson also recited news from the San Dimas Press for September 25, 1975: Gem Steel Company of San Dimas completed fabrication of ten (10) largest steel tanks used to store English walnuts, purchased by a plant processing in Modesto, California; to be shipped in five Santa Fe Railroad cars. According to San Dimas Press, January 8, 1976, the San Dimas City Council adopted an ordinance prohibiting the riding of bicycles and wheeled toys on the City's wooden sidewalks. Further, the Sheriff's Department was instructed to strictly enforce an ordinance prohibiting the riding of horses on the wooden sidewalks, the golf course, or little league ball fields. In addition, Councilmember Jim McLean emphasized that horseback riding on the wooden sidewalks is dangerous and infringes on the rights of others by frightening customers of downtown businesses.

5.6

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

Pui-Ching Ho, Library Manager, San Dimas Library, said the Friends of San Dimas Library Book Sale will be held Friday through Sunday, October 1-3, during San Dimas Western Days. The upcoming Book Party is scheduled for Wednesday, October 6, at 10:30 a.m. On Saturday, October 9, meet a teacher from 1890's Los Angeles Center for the Heritage Square Museum, for Victorian School lessons complete with a variety of teaching aides and historic artifacts. Log onto [www.colapublib.org](http://www.colapublib.org) or [www.librarytutor.org](http://www.librarytutor.org) for free online services for students grades 4-12 in English, Math, Social Studies, Science; as well as college level courses and tutor services for adults. She reminded that Lone Hill Middle School and High School textbooks in all subjects are available to check out - inquire at the reference desk.

➤ Announcement

Director Bruns announced that during the heatwave, the Senior Citizens Community Center will serve as a cooling center from 8:00 a.m. to 5:00 p.m. and most evenings until 8:00 p.m. to sit in the Library, read books, magazines or play games.

**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, invited the community to Western Days, Saturday and Sunday, October 2-3, beginning with a community parade at 10:00 a.m. Saturday; including fun games and rides for children, and continuous musical entertainment throughout the weekend. He said the Chamber offers free booth space to nonprofit organizations promoting their organization and providing entertainment for children from Life Pacific College gold panning to Parks and Recreation Department activities. He outlined activities to be enjoyed including crafts, food vendors, business expos and displays, Native American Pow Wow, vendors and food. He said with the exception of food or sales, all the activities and entertainment are free of charge.

2) Don Green, San Dimas Rodeo, said the annual San Dimas Rodeo will be held in conjunction with Western Days on Saturday and Sunday, October 2-3, 2010, including a pre-show at 1:00 p.m. on Sunday by the Challenged Buckaroos featuring special needs children who will be assisted by cowboys and clowns; and Police Helicopter and skydiving team. He said the Rodeo is also working with McKinleys Center to set up a facility to send kids to a riding academy. He added that funds raised at the Rodeo are donated to scholarships for local students of San Dimas and La Verne. He thanked the volunteers and sponsors of this annual event and expressed appreciation for the City's continued support. He replied to Mr. Ebner that buses, including handicapped buses with wheelchair access, would run every 15 minutes from downtown San Dimas.

3) Sid Maksoudian disagreed with a letter he received assigning him to conduct business with the Assistant City Manager when he has a good relationship with Planning and Engineering staff. He said he was informed that a business had not been issued a permit to operate; however, friends who called city hall were informed the business is operational. He felt staff should look into this issue.

4) Joe Fransen, representing American Cancer Society, pointed out that October is Breast Cancer Awareness and Prevention Month, and a lot of hospitals and health fairs offer mammograms for little or no cost during the month of October. He reported that between 3-5% of incidents of breast cancer occur in males, who need to be made aware to mention it during their annual physical examinations.

5) Margie Green reminded that during the big weekend for the Rodeo and Western Days, the community parade will be coming down San Dimas Avenue from Gladstone at 10:00 a.m., with one group of horses and mini horses; an exciting shoot out; Ladies dressed in historic clothing; and a 12 band competition. She said the Western Days event includes a Native American Pow Wow in Civic Center Park, and Native American vendors.

## 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 Bertone, seconded by Councilmember Badar, and carried to accept, approve and act upon the consent calendar, as follows: Councilmember Templeman was absent.

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

(1) **RESOLUTION NO. 2010-49**, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN DIMAS APPROVING CERTAIN DEMANDS FOR THE MONTH OF SEPTEMBER 2010.

(2) Consider adopting Amended Standardized Conflict of Interest Code for Designated Employees

**RESOLUTION NO. 2010-50**, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN DIMAS ADOPTING A STANDARDIZED CONFLICT OF INTEREST CODE FOR DESIGNATED EMPLOYEES.

(3) **RESOLUTION NO. 2010-51**, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN DIMAS, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, ADOPTING AN ADMINISTRATIVE PROCEDURES AND REIMBURSEMENT POLICY FOR DECLARED EMERGENCY/DISASTER.

b. Approval of minutes for regular meeting of September 14, 2010 and special meeting of September 14, 2010.

c. Award of Cash Contract 2010-08, Cataract Avenue Storm Drain MTD 1804 to VCI Construction, in the amount of \$255,432.00.

d. Authorization to Waive Formal Bid Process for the Purchase of Video Detection Cameras and Accessories for the Bonita Avenue/San Dimas Canyon Road Signal Modification Project and Award bid to RodefX, Inc. (affiliate of Iteris, Inc.) in the Amount of \$23,584.18

END OF CONSENT CALENDAR

## 6. PLANNING/DEVELOPMENT SERVICES

a. Consider a request to initiate a Zone Change and Municipal Code Text Amendment to allow RV storage and mini-storage at 642 E. Baseline Road (La Verne Nursery). (CONTINUED FROM AUGUST 24, 2010).

Associate Planner Espinoza presented the applicant's proposal for a code text amendment and zone change to allow an Recreation Vehicle storage facility and mini-storage at southwest corner of North San Dimas Canyon Road and East Baseline Road. He said the property is currently zoned Light Agriculture (AL) and the applicant is requesting that the zone be changed to Commercial Highway (CH) or Commercial Neighborhood (CN) to comply with the General Plan's Commercial Land Use designation. He outlined a number of challenges with the proposed changes and added that the proposed code text amendment would conditionally allow recreational vehicle storage lots and mini-storage for any future development. Planner Espinoza stated that this is not a public hearing and the City Council shall determine whether or not the information provided warrants a public hearing. Staff recommended that the City Council deny the request as submitted by the applicant. As a second option, if the City Council feels that staff should process the proposed zone change and code text amendment, Mr. Espinoza recommended:

- 1) that the existing zone should remain the same (AL) and a General Plan Amendment should be processed to change the Land Use designation from "Commercial" to "Industrial", making the proposed uses consistent with the zone and General Plan; and change the code text amendment to conditionally allow mini-storage in the AL since RV storage is currently allowed with a Conditional Use Permit.
- 2) change the zone to Single Family from AL and the General Plan designation to Single Family Low to allow the site to be developed for 12-15 residential properties as shown in Exhibit F; and
- 3) direct staff to conduct a Land Use study of the area and evaluate a range of options area-wide before determining the best land use for the area.

Mr. Espinoza said the applicant and property owner are in attendance to answer any questions.

Associate Planner Espinoza responded to Council that public hearings would be necessary for the code amendments; the AL classification was a pre-existing zone classification; and a zone change or code amendment would affect all properties with the same zoning classification in other areas of town. He further responded that a few underdeveloped properties on Foothill can accommodate RV storage.

Assistant City Manager Stevens clarified that 95% of AL zone was adopted in 1961 and there were two amendments in 1975 relative to worm farming and agricultural worker housing.

Mayor Morris pointed out that this is not a public hearing to approve a zone change, but a presentation to consider whether or not the City Council would initiate a zone change. He invited the applicants to present their proposal.

Bud Wheeler, XL Storage, Inc. provided a handout for the City Council and staff outlining their proposal to develop an indoor recreational vehicle and self storage facility in San Dimas. He addressed potential resident concerns regarding noise and traffic issues and stated that the facilities have secured, restricted access for patrons only during daylight hours and trip generation is proposed at approximately 40 trips per day. He said the one ingress/egress is 500 feet away from the closest house on Cheyenne Drive. He pointed out that he is not opposed to limiting the facility to RV storage only, rather than go through the process of changing the zone for this type of project.

Mayor Morris said the applicant is willing to give up self storage and he asked staff if private garages comply with the present zoning. Planner Espinoza replied that the use complies with the present zoning, however, because RV storage tends to be in Industrial Park areas, there is a conflict with the commercial designation in the General Plan. He added that as part of the Conditional Use Permit, setback restrictions can be imposed for development of that type of use. He further added that a zone change can be initiated without changing the General Plan. If the General Plan were to be changed, it would be changed to Industrial.

Mayor Morris expressed his reluctance to change the General Plan to Industrial because the surrounding properties are either residential or commercial.

Assistant City Manager Stevens said there are two dilemmas: 1) whether the RV Storage is an appropriate use for the site; 2) and if so, it is staff's charge to find the most appropriate zoning/General Plan technique to provide the least amount of risk to other future uses. He stated that if the City Council feels there is not enough merit to initiate a change, there is no need to proceed further. However, if the City Council feels there is a reasonable opportunity to let the project move forward, staff can commence the noticed public hearing process.

Mr. Wheeler stated that the enclosed RV Storage has the least impact and an aesthetically pleasing design, with one entrance, and is filling a need in the City. He responded to the City Council that it is not an issue to build an enclosed garage for RVs only; and feasibility studies will be conducted to see if the project is financially viable for the neighborhood; he provided dimensions for the 170 units and occupancy rates at other facilities, and said a full-time manager will be onsite.

Mayor Morris invited the audience to comment.

1) Don Green praised the project and asked if there were some way to accommodate his concern that a 20-foot wall would block the view of the mountains for the residents on the west side.

2) In response to Sid Maksoudian, Mr. Wheeler replied that at the Rancho Storage Facility, each unit rents out for approximately \$200-\$300.

3) Sid Maksoudian stated that a survey has not been conducted to see if there are enough RVs or trailers to accommodate this facility or if this use would benefit the residents of San Dimas. He expressed concern that San Dimas residents would not be able to afford the storage facility that would attract clientele from surrounding areas.

4) Ken Hatch stated that the Rancho Cucamonga Facility has a number of customers from San Dimas and La Verne who store their large RVs. He said a study was conducted on indoor storage (which retains the value of the coach) versus outdoor storage (which depreciates the value of the RVs.)

Mayor Pro Tem Ebiner stated he does not want to take away the property owner's right to build on his property, however, he is concerned about not constructing sound walls to protect residents on Cheyenne from excessive noise.

Councilmember Bertone stated this is a great project that is needed, however, he will vote to deny the project in a semi-residential area. He would vote in support of the project in any other zone.

In response to Councilmember Badar, Mr. Wheeler replied that attempts have been made to meet with residents. He said the units would have a 12-foot high roofline on the back portion facing Cheyenne residents and added that the design elements make the units look like residential housing, with a 45-foot setback green belt around the perimeter.

Mayor Morris said this property has some challenges and the use is permitted under the existing zone. He would support taking a further look at this project.

Councilmember Badar said by instructing staff to look into this project, the City Council would fulfill a commitment to the RV community to help provide storage space. He would like to hear concerns from the community.

It was moved by Councilmember Badar to direct staff to review the proposal and bring back a report to the City Council.

In response to Mayor Morris, Assistant City Manager Stevens outlined the process staff would take and said a preliminary report would be brought back to the City Council within 60 days.

The motion was seconded by Mayor Morris. The motion failed by the following vote:

AYES: Councilmembers Badar, Morris  
NOES: Councilmembers Bertone, Ebiner  
ABSENT: Councilmember Templeman

## 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 8:48 p.m..

## 8. ORAL COMMUNICATIONS

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

- 1) Sid Maksoudian clarified that the total amount of \$15 million was paid by grants and taxpayer funds for the purchase of the Walker House and that \$2.5 million for the kitchen is a good estimate of the break down costs for the various rooms. He felt that the \$2,000 monthly rent for Saffron for using a \$2.5 million piece of real estate, is a losing investment.

- b. City Manager

- 1) City Manager Michaelis informed the public that there is information on the City's website concerning the High-Speed Rail System approved by voters in 2008 and a public Outreach meeting will be conducted between 4:00 p.m. to 8:00 p.m. on Wednesday, October 6, 2010, in the City of El Monte. He said additional meetings will be held when the City gets more specific in its particular discussion of the High-Speed Rail System.

Councilmember Bertone stated that he and a staff member will be part of a Committee set up by the San Gabriel Valley Council of Governments to keep San Dimas residents informed about the High-Speed Rail System.

- 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.

Mayor and members of the Council attended the League of California Cities annual conference and exposition in San Diego, on September 15-17, 2010.

Councilmember Bertone said the League of California Cities is a lobbying group that represents and promotes cities' interest with the State of California Legislature. The conferences provide an opportunity to communicate with representatives from other cities and Sacramento as it relates to budget, ethics, and redevelopment.

Councilmember Badar stated he is the representative for the City of San Dimas and the theme of the conference centered on Proposition 22, an initiative to protect local Redevelopment Agency funds from the State. He urged citizens to take a look at Proposition 22 at the November 2, 2010 election.

Councilmember Bertone added that Proposition 22 does not raise taxes in any way or form.

2) Individual Members' comments and updates.

a) Mayor Pro Tem Ebiner said one of the main sponsors at the 5K and 1 mile Fun Run was Christ Church of the Valley that did a great job providing breakfast. He said they provided a band and volunteers monitored, participated and helped with the event. He mentioned he enjoyed the age bracket for awards and spoke with an 86-year old lady who was so happy to get an award for walking the 5K course.

b) Councilmember Badar thanked Mike Kelly, Principal of San Dimas High School, who implemented Community Night, an opportunity for elementary school children to join in high school activities. He said at Friday night's game, the City presented certificates to the children who were pleased the community was recognizing what they had done for their community. He mentioned that after the presentation, parents expressed their appreciation for allowing the kids to have a parade in the downtown San Dimas.

c) Councilmember Bertone said he was honored to be invited by Buddhist Tzu Chi Foundation, located in San Dimas, to represent the City at Wave of Hope, a fundraiser for nondenominational charitable work. He said over \$1.9 million was raised and will be donated to Haiti. Mr. Bertone said he was also awarded the honor of ringing the peace bell, a Buddhist tradition.

d) Mayor Morris said the City Council was aware of the costs when they made the decision to purchase and restore the Walker House. The City Council felt it was necessary to preserve a building that was a part of the heritage of San Dimas and it was important to provide food service. He added that Mr. King agreed to terms under a Memorandum of Understanding with provisions that the restaurant would close down for several days, several times a year for events. He stated that public meetings were held to discuss the lease agreements and the City Council was aware of the rent provisions, as well as the right to audit their books. He said the success of the restaurant to the City of San Dimas/Redevelopment Agency is not how much money it brings in, but how much it adds to the experience of the Walker House, which is considered an important part of this community. Mayor Morris said Mr. Maksoudian is given the opportunity to speak at every meeting.

**9. ADJOURNMENT**

Mayor Morris adjourned the meeting at 9:07 p.m. The next meeting is on October 11, 2010, 5:00-9:00 p.m. for a City Council/Staff Retreat at the San Dimas Sheriff's Station Public Meeting Room.

Respectfully submitted,

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Ina Rios, CMC, City Clerk



# Agenda Item Staff Report

**To:** Honorable Mayor and Members of the City Council  
*For the Meeting of October 12, 2010*

**From:** Krishna Patel, Director of Public Works 

**Subject:** **Cash Contract No. 2010-09, Pavement Preservation Slurry Project in Maintenance Zone "G", to Doug Martin Contracting Co., Inc. in the amount of \$347,834.12**

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## BACKGROUND

Sealed bids were received by the City Clerk on Tuesday, October 5, 2010, and publicly opened for Cash Contract No. 2010-09, Pavement Preservation Slurry Project in Maintenance Zone "G". Zone "G" encompasses all of the streets west of Puente and south of Via Verde.

The project is broken down into two phases: Phase 1 includes all of the streets in Zone "G" with the exception of Via Verde between Puente and the 57 Fwy. ramp and Puente Street from Via Verde to west city limits. Phase 2 – Upon completion of rehabilitation of eastbound Via Verde starting at Puente is expected to be completed by June 1, 2011 after which Via Verde and Puente Street will be slurred.

The project consists of applying an herbicide (Round Up) to control vegetation, crack seal, and apply a tire-rubber modified slurry seal material followed by replacing traffic striping & markings. Three bids were received as follows:

1.	Doug Martin Contracting Co., Inc.	\$347,834.12
2.	Roy Allan Slurry Seal, Inc.	\$365,676.00
3.	Mission Paving & Sealing, Inc.	\$591,148.00

## DISCUSSION

For fiscal year 2010-2011, a total of \$560,000 project funds have been allocated in Fund 02 - Gas Tax, Fund 12 - Infrastructure Fund, Fund 73 - Prop C Local Transportation Fund; and Fund 74 – Measure R Transit Fund. This year the Pavement Preservation funds are allocated for slurry seal, as-needed pavement repairs in the specified zone, as well as City-wide needs. In order to receive competitive bid prices for the specialized type of work being done, Pavement Preservation for Zone "G" has been broken down into two specified categories of street (slurry) maintenance and asphalt repairs.

Staff reviewed the bid proposal, and references provided by the lowest responsible bidder, Doug Martin Contracting Co., Inc. It was confirmed through the State Contractor's License Board that the contractor's license #470131, C-12; expires on 3/31/2011. All references contacted were positive in favor of the contractor. The contractor submitted a Bid Bond as security in accordance with the requirements of the specifications. Doug Martin has previously contracted with the City and has satisfactorily completed several slurry seal projects.

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If the construction contract were to be awarded to the apparent low bidder, Doug Martin Contracting Co., Inc., the contract budget would be as follows:

Construction Cost	\$347,834.12
Material Testing	20,000.00
Field Inspection Assistance	20,000.00
Contingency – 5%	<u>17,391.00</u>
<b>Total</b>	<b><u>\$405,225.12</u></b>

The balance of Pavement Preservation funds of approximately \$154,000.00 will be expended for the rehabilitation of eastbound Via Verde east of Puente: and as-needed other pavement repairs and rehabilitation.

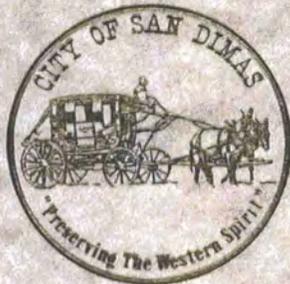
**RECOMMENDATION**

Staff recommends that Council consider awarding Cash Contract No. 2010-09, Pavement Preservation Slurry Project in Maintenance Zone “G” to Doug Martin Contracting Co., Inc. in the amount of \$347,834.12.

Respectfully submitted,

  
 Krishna Patel  
 Director of Public Works

kp/gdh/10-10-11



# Resolution of The City Council Of The City Of San Dimas California

A Proclamation Of The City Of San Dimas Honoring The Dedication Of The Bishop Amat Memorial High School Alumni Military Memorial And Existing Vietnam War Memorial.

**W**HEREAS, Bishop Amat Memorial High School has offered an exemplary educational program to the residents of San Dimas and the surrounding San Gabriel Valley since September 1957; and

**W**HEREAS, following graduation from Bishop Amat Memorial High School, many of the Lancer alumni have entered the military service of the United States of America and have served in all of the branches of the military and in all corners of the world; and

**W**HEREAS, beginning with the first graduating Class of 1961, eleven (11) alumni have made the ultimate sacrifice and lost their lives while serving in the military either on foreign soil or in the continental United States as follows:

Joel Michael Sabel, Class of 1961, Killed 10 July 1967, Dak To, South Vietnam;  
Joseph Alfred Albertini, Class of 1965, died 6 October 1967, Cu Chi, South Vietnam;  
Stanley William Tunall, Class of 1963, killed 26 October 1967, Bong Son, South Vietnam;  
David Hugh Lalich, Class of 1964, killed 11 June 1968, Tam Ky, South Vietnam;  
Jose Antonio Ollivier, Class of 1963, killed 23 February 1969, Dai Loc, South Vietnam;  
John Roger Thielen, Class of 1965, died 18 March 1969, Cu Chi, South Vietnam;  
Daniel Napierskie, Class of 1969, killed 20 September 1969, Dinh Tuong, South Vietnam;  
Terrence Patrick Carrigan, Class of 1974, killed 9 July 1978, Winslow, Arizona;  
Mark Eugene Brennan, Class of 1969, killed 22 February 1979, Long Beach, California;  
Joseph Librado Lujan, Class of 1964, killed 15 July 1987, Lake Ilopango, El Salvador; and  
Douglas Amuel La Bouff, Class of 1987, killed 7 January 2006, Tal Afar, Iraq; and

**W**HEREAS, on Saturday, 9 October 2010, Bishop Amat Memorial High School will dedicate a new Alumni Military Memorial Plaza across from the existing Vietnam War Memorial on campus.

**N**OW, THEREFORE, BE IT RESOLVED, I Mayor Curtis W. Morris, Mayor Pro Tem John Ebner, Councilmembers Emmett Badar, Denis Bertone, and Jeff Templeman hereby congratulates the Bishop Amat Memorial High School family on the dedication of the new Alumni Military Memorial Plaza and on the existing Vietnam War Memorial; joins with all of the residents, businesses and employees of the City in saluting the Bishop Amat Memorial High School alumni which have served in the armed forces of the United States of America; extends a most sincere gratitude to the eleven (11) Lancers listed herein who gave their lives in the defense of this great nation; and extends its heartfelt condolences to the respective families and friends of these Lancer heroes.

**I**N WITNESS WHEREOF, I, Mayor Curtis W. Morris, have hereunto set my hand and caused the seal of the City of San Dimas to be affixed this 9th Day Of October 2010.



*Curtis W. Morris*  
Mayor

Attest *[Signature]*  
City Clerk

5.d



# Agenda Item Staff Report

**TO:** Honorable Mayor and Members of City Council  
*For the Council Meeting of October 12, 2010*

**FROM:** Blaine Michaelis, City Manager

**INITIATED BY:** Ken Duran, Assistant City Manager

**SUBJECT:** Addition of Part-Time Assistant Planner classification to the City's Pay Plan and Reimbursement Schedule

## **BACKGROUND**

In May of this year one of the City's Assistant Planners began an extended medical leave. At that time the incumbent part-time Planning Intern began working additional hours and assumed additional assignments to assist the department in the Assistant Planners absence. Because of the additional hours and assignments staff feels it is appropriate to make a provisional appointment of the Planning Intern to a part-time Assistant Planner position. The City's Personnel Rules allows for the City Manager to make provisional appointments when appropriate.

At the present time the City's pay plan and schedule does not have a part-time Assistant Planner position, therefore to make the provisional appointment the part-time position will need to be added to the schedule. Therefore staff is recommending that the City Council authorize the addition of a part-time Assistant Planner classification to the Pay Plan and Salary Schedule. The recommended salary range would be Range 192 - \$20.95 – \$25.48 per hour. This is the closest existing range that is commensurate with the hourly rate equivalent of a full-time Assistant Planner position.

The provisional appointment would be in effect until the Assistant Planner returns full-time from medical leave and will be retroactive back to July 1, 2010. At the conclusion of the provisional appointment the employee will return to Planning Intern level assignments, hours and compensation.

## **RECOMMENDATION**

Staff recommends that the City Council amend the City's Pay Plan and Salary Schedule to add the hourly position of part-time Assistant Planner at the pay range of Range 192 - \$20.95 - \$25.48.



# Agenda Item Staff Report

**To:** Honorable Mayor and Members of the City Council  
*For the meeting of October 12, 2010*

**From:** Blaine Michaelis, City Manager

**Initiated By:** Theresa Bruns, Director of Parks and Recreation *TB*

**Subject:** Revision of Dog Park Rules Ordinance

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Summary

The off leash dog park rules ordinance has been reviewed and revised by the Parks and Recreation Commission.

BACKGROUND

Five years ago, prior to the opening of the dog park located at Horsethief Canyon Park, the City Council adopted Ordinance No. 1149 adding dog park rules to the San Dimas Municipal Code. The ordinance was recommended by staff and the Parks and Recreation Commission, and adopted by Council because the California Joint Powers Insurance Authority highly recommends that agencies operating dog parks adopt a municipal ordinance for the rules of operation for the park. The dog park rules ordinance is necessary to create a safe and enjoyable dog park, to reduce the frequency and severity of claims associated with its operation, and to provide a mechanism of enforcement for gross violations of the rules.

The Parks and Recreation Commission reviewed and discussed the original rules and are recommending the following revisions (strikeouts) and additions (red):

- **No more than 3 dogs per person are allowed in the park at one time.**
- **Dogs must wear a flat collar with current tags visible. No pronged, spiked or choke collars allowed.**
- Puppies under 4 months of age are not ~~recommended~~ **permitted.**
- Spaying/neutering of dogs is ~~recommended~~ **required.** ~~Dogs in season are not allowed.~~
- **Children 12 years and under must be closely supervised by an adult at all times. Infants and toddlers are not recommended.** ~~Parents must closely supervise children.~~
- **No food or treats of any kind, dog or human, are permitted.**
- **No animals other than dogs permitted.**
- **Users must obey all other park rules.**
- **Smoking and alcohol are prohibited.**

The revised dog park rules are compiled from recommendations acquired from a survey of cities currently operating dog parks, as well as response to the types of issues encountered at the San Dimas dog park over the last five years. The rule adjustments reflect safety related issues and conflicts

*G.A.*

related to aggressive behavior. All rules comply with those accepted as standard among municipal parks.

The City's off leash dog park operates unsupervised, with signage installed informing users of the dog park rules. Compliance to the rules is peer and self-monitored, with the "Friends of the Dog Park" taking an active role in informing and explaining the rules to users of the park. Enforcement is provided by Sheriff's Department personnel as necessary.

### RECOMMENDATION

Staff and the Parks and Recreation Commission recommend that the City Council introduce, and ultimately adopt, Ordinance No. 1197, amending Chapter 13.16.400 of the San Dimas Municipal Code.

#### Attachments:

- Revised Ordinance No. 1149 indicating revisions and additions
- Ordinance No. 1197
- Dog Park Rules for signage
- Dog Park Ordinance Survey

**ORDINANCE NO. 114997**

**AN ORDINANCE OF THE CITY OF SAN DIMAS  
PERTAINING TO DOG PARKS**

The City Council of San Dimas hereby ordains as follows:

**SECTION 1. ADDITION REVISION TO CODE:** ~~Title 13~~ **Revise Chapter 13.16.400** of the San Dimas Municipal Code ~~is hereby amended by adding thereto a new Chapter 13.16.400~~ to read as follows:

Chapter 13.16.400  
Dog Parks

13.16.410: Dog Park Defined  
13.16.420: Dog Park Rules  
13.16.430: Violation – Penalty

13.16.410: Dog Park Defined

As used in this chapter, the term “dog park” means the dog park facility owned and operated by the City of San Dimas in Horsethief Canyon Park that is identified by sign as the “San Dimas Dog Park.”

13.16.420: Dog Park Rules

Use of the dog park is a voluntary activity. Users assume the risk of personal injury or property damage associated with the use of the dog park.

- Dog Park hours are dawn to dusk.
- Users must keep their dogs on leashes going to and from the leash-free area.
- Users must monitor and control their dogs at all times.
- **No more than 3 dogs per person are allowed in the park at one time.**
- Dogs must never be left unattended.
- Owners must clean up after their dogs.
- Dogs must have current licenses and vaccinations, and be free from contagious diseases.
- **Dogs must wear a flat collar with current tags visible. No pronged, spiked or choke collars allowed.**
- Aggressive behavior by dogs is not permitted.
- Puppies under 4 months of age are not ~~recommended~~ **permitted**.
- Spaying/neutering of dogs is ~~recommended~~ **required**. ~~Dogs in season are not allowed.~~
- **Children 12 years and under must be closely supervised by an adult at all times. Infants and toddlers are not recommended.** ~~Parents must closely supervise children.~~
- Parents must ask permission from the dog owner for children to play with a dog.

- No food or treats of any kind, dog or human, are permitted.
- Excessive barking is not allowed.
- Users must fill holes made by their dogs.
- Commercial/professional dog training is not permitted unless approved by the City.
- No animals other than dogs permitted.
- Users must obey all other park rules.
- Smoking and alcohol are prohibited.
- The City reserves the right to refuse patron access.
- The leash-free area is subject to closure without notice for maintenance.

13.16.430: Violation – Penalty

A violation of this chapter or any provisions thereof is punishable as provided in Section 1.12.030.

**SECTION 2. SIGNS:** The Parks and Recreation Department shall cause signs to be posted at the Dog Park providing reasonable notice of the requirements of this chapter.

**SECTION 3. PUBLICATION:** This ordinance will take effect thirty (30) days after its final passage, and within fifteen (15) days after its passage, the City Clerk shall cause it to be published in the Daily Bulletin.

**SECTION 4. EFFECTIVE DATE:** This ordinance shall go into effect and be in full force and operate from and after thirty (30) days after its final passage of adoption.

PASSED, APPROVED AND ADOPTED by this \_\_\_\_\_ day of \_\_\_\_\_, 2005~~10~~.

\_\_\_\_\_  
Mayor of the City of San Dimas, California

ATTEST:

\_\_\_\_\_  
CITY CLERK

**ORDINANCE NO. 1197**

**AN ORDINANCE OF THE CITY OF SAN DIMAS  
PERTAINING TO DOG PARKS**

The City Council of San Dimas hereby ordains as follows:

**SECTION 1. REVISION TO CODE:** Revise Chapter 13.16.400 of the San Dimas Municipal Code to read as follows:

Chapter 13.16.400  
Dog Parks

- 13.16.410: Dog Park Defined
- 13.16.420: Dog Park Rules
- 13.16.430: Violation – Penalty

13.16.410: Dog Park Defined

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**SECTION 4. EFFECTIVE DATE:** This ordinance shall go into effect and be in full force and operate from and after thirty (30) days after its final passage of adoption.

PASSED, APPROVED AND ADOPTED by this \_\_\_\_\_ day of \_\_\_\_\_, 2010.

\_\_\_\_\_  
Mayor of the City of San Dimas, California

ATTEST:

\_\_\_\_\_  
CITY CLERK

# City of San Dimas

## Dog Park Rules

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- Users must fill holes made by their dogs.
- Commercial/professional dog training is not permitted unless approved by the City.
- No animals other than dogs permitted.
- Users must obey all other park rules.
- Smoking and alcohol are prohibited.
- The City reserves the right to refuse patron access.
- The leash-free area is subject to closure without notice for maintenance.

Violation of any of the above regulations may result in loss of leash-free area privileges and/or citation.

SAN DIMAS MUNICIPAL CODE 13.16.400

### IMPORTANT PHONE NUMBERS

Inland Valley Humane Society (909) 623-9777  
Sheriff's Department (909) 450-2700  
San Dimas Parks & Recreation Department (909) 394-6230

**PLEASE PROTECT AND PRESERVE YOUR PARK**





# Agenda Item Staff Report

**TO:** Honorable Mayor and Members of City Council  
For the Meeting of October 12, 2010

**FROM:** Blaine Michaelis, City Manager *BM*

**SUBJECT:** Resolution – support for Proposition 22 on the November 2010 ballot

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## **SUMMARY**

*We are in the 3<sup>rd</sup> decade of having local government revenues being involved in the state's budget process. Through the years the state has shifted away local property taxes, borrowed against sales taxes, lowered local shares of vehicle license revenue, increased local requirements without providing the money to provide those services, and shifted revenues and services back and forth between cities and counties with the state absorbing revenue in the process.*

*In 2004 voters passed Proposition 1A with nearly 80% of the vote to keep local government funds at the local level. If the state needed money in tough economic times they could borrow local government money under the condition that it would be capped at \$2 billion, and be paid back within 3 years – with interest. Prop 1A established some partial protection for city money.*

*Subsequent state budgets started to delay the remittance of local gas tax funds – as long as 9-10 months using the money as a loan to itself for 'cash flow'. In addition, the state shifted additional property taxes \$2 billion worth – this time from Redevelopment Agencies to allocate to schools so they could lower their obligation to fund schools by \$2 billion.*

*To yet again address the state's use of city and county money, Proposition 22 is on the ballot in to more completely protect local government money. Proposition 22 does not raise taxes; it does not take away state or school funding; it does not increase local government funds – it just protects money that belongs to cities and counties and makes sure that the money goes to the owner of the funds – the cities and counties of California.*

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**RECOMMENDATION**

Receive a report from staff. Ask questions as desired. Receive any public comments. Adopt the attached Resolution in support of Proposition 22.

Attachments: Resolution supporting Proposition 22

**RESOLUTION NO. 2010-56**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN DIMAS, CALIFORNIA, IN SUPPORT OF PROPOSITION 22 - THE LOCAL TAXPAYER, PUBLIC SAFETY AND TRANSPORTATION PROTECTION ACT OF 2010**

WHEREAS, California voters have repeatedly and overwhelmingly passed separate ballot measures to stop State raids of local government funds, and to dedicate the taxes on gasoline to fund local and state transportation improvement projects; and

WHEREAS, these local government funds are critical to provide the police and fire, emergency response, parks, libraries, and other vital local services that residents rely upon every day, and gas tax funds are vital to maintain and improve local streets and roads, to make road safety improvements, relieve traffic congestion, and provide mass transit; and

WHEREAS, despite the fact that voters have repeatedly passed measures to prevent the State from taking these revenues dedicated to funding local government services and transportation improvement projects, the State Legislature has seized and borrowed billions of dollars in local government and transportation funds in the past few years; and

WHEREAS, this year's borrowing and raids of local government, redevelopment and transit funds, as well as previous, ongoing raids of local government and transportation funds have lead to severe consequences, such as layoffs of police, fire and paramedic first responders, fire station closures, stalled economic development, healthcare cutbacks, delays in road safety improvements, public transit fare increases and cutbacks in public transit services; and

WHEREAS, State politicians in Sacramento have continued to ignore the will of the voters, and current law provides no penalties when state politicians take or borrow these locally-dedicated funds; and

WHEREAS, a coalition of local government, transportation and transit advocates filed a constitutional amendment with the California Attorney General, called the Local Taxpayer, Public Safety, and Transportation Protection Act of 2010, which will be on the November 2010 statewide ballot as Proposition 22; and

WHEREAS, approval of this ballot initiative would close loopholes and change the constitution to further prevent State politicians in Sacramento from seizing, diverting, shifting, borrowing, transferring, suspending or otherwise taking or interfering with tax revenues dedicated to funding local government services, including redevelopment, or dedicated to transportation improvement projects and mass transit.

THEREFORE, BE IT RESOLVED that the City of San Dimas formally endorses Proposition 22, the Local Taxpayer, Public Safety and Transportation Protection Act of 2010, a proposed constitutional amendment.

BE IT FURTHER RESOLVED that we hereby authorize the listing of the City of San Dimas in support of Proposition 22, the Local Taxpayer, Public Safety and Transportation Protection Act of 2010, and instruct staff to fax a copy of this resolution to campaign offices at 916.442.3510.

**PASSED AND ADOPTED** this \_\_\_ day of \_\_\_\_\_, 2010.

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

ATTEST:

\_\_\_\_\_  
Ina Rios, CMC, City Clerk

I HEREBY CERTIFY that the foregoing Resolution No. 2010-56 was adopted by vote of the City Council of the City of San Dimas at its regular meeting of October 12, 2010, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

\_\_\_\_\_  
Ina Rios, CMC, City Clerk



CITY OF SAN DIMAS  
MINUTES  
SAN DIMAS REDEVELOPMENT AGENCY MEETING  
TUESDAY, SEPTEMBER 28, 2010  
SENIOR CITIZEN/COMMUNITY CENTER  
MULTIPURPOSE ROOM, 201 E. BONITA AVENUE

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**PRESENT:**

Chairman Curtis W. Morris  
Vice Chairman John Ebiner  
Mr. Emmett G. Badar  
Mr. Denis Bertone  
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 Public Works Krishna Patel  
Director of Parks and Recreation Theresa Bruns

**ABSENT:**

Mr. Jeffrey W. Templeman

**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.)

1) Sid Maksoudian recited the monthly rent paid to the City by Saffron for the period of 2009-2010 and said it doesn't compare to the rent paid by downtown merchants. He said an audit has not been conducted to verify Saffron's gross income.

**APPROVAL OF MINUTES**

It was moved by Mr. Bertone, seconded by Mr. Morris, to approve the minutes of the September 14, 2010 meeting. The motion carried 4.0.1; Mr. Templeman was absent.

**EXECUTIVE DIRECTOR**

- 1) Status on current projects.
  - a) Executive Director Michaelis reported that the Grove Station project is nearing completion of the residential units including the Agency's four units. He said the Board has preliminary decisions to make at the Retreat meeting as to whether those units would be sold or rented. Once a decision has been reached, staff will be able to release information to interested parties and the general public.
  - b) Executive Director Michaelis reported that the Fresh & Easy project continues to make progress.
  - c) Mr. Michaelis provided some background on the San Dimas Redevelopment Agency and its finances. He said as part of the budget process, State Legislature felt the need to take \$2 billion statewide, \$2 million from San Dimas, to assist with funding educational programs. Redevelopment Agencies statewide filed a lawsuit against this claim and take by the State, which did not prevail in the initial review before the Judge. However, the Redevelopment Agency Association has since appealed the decision and is awaiting the court's decision as to whether or not that would be a constitutional

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violation for the State to take that money. He said the Redevelopment Agency is an important tool for the City to make progress.

d) Mr. Michaelis said staff will continue to apply patience and provide information to Mr. Maksoudian, with the hope that he can take a broader picture, understand the issues as they really are, and to accept the answers he is given.

### **MEMBERS OF THE AGENCY**

1) Mr. Bertone praised the development on San Dimas Avenue and said comments from the community are positive on how the project looks.

2) Mr. Ebner suggested Mr. Maksoudian put in writing his thoughts about facts and figures of the Walker House so that staff can be ready to add some perspective to those numbers. He asked Mr. Michaelis to share costs of the kitchen in the Walker House.

Mr. Michaelis said the kitchen was original to the Walker House and was included in the renovation. He said the kitchen cost \$276,000 and he does not want the public to think that the Walker House cost \$15 million. He suggested meeting with Mr. Maksoudian to discuss actual costs.

3) Chairman Morris said if anyone in the community is interested in the costs, Mr. Michaelis will be happy to provide that information.

### **ADJOURNMENT**

Chairman Morris adjourned the meeting at 8:48 p.m.

Respectfully submitted,

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Ina Rios, Secretary