



**MINUTES**  
**REGULAR CITY COUNCIL**  
**TUESDAY, FEBRUARY 22, 2011, 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 Development Services Dan Coleman  
Director of Public Works Krishna Patel  
Director of Parks and Recreation Theresa Bruns  
Senior Engineer Shari Garwick  
Superintendent of Building and Safety Eric Beilstein  
Recreation Services Manager Leon Raya

**STUDENT CITY COUNCIL**

Corbin Chu  
Miranda Galvez  
Joshua Acosta-Duque  
Luisa Schneider  
Michelle Nguyen  
Katelyn Helmuth  
  
Aleena Avalos  
  
Monica Mikhail  
  
Ana Elizondo  
Stefan Munoz  
  
Nicole Thurman

**1. CALL TO ORDER**

Student Mayor Chu called the meeting to order at 7:00 p.m. and led the flag salute. He asked students to introduce themselves.

**2. RECOGNITIONS**

- Proclaim March 9, 2011 Arbor Day to support efforts to protect our trees and woodlands.

**Mayor Morris and Student Mayor Corbin Chu** presented to Ana Elizondo, student Parks and Recreation Director, a proclamation declaring March 9, 2011 as Arbor Day, urging all citizens to support efforts to protect our trees and woodlands, plant trees, and promote the well-being for future generations.

**3. ANNOUNCEMENTS**

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

**Pui-Ching Ho**, Library Manager, San Dimas Library, introduced her Student Counterpart Samantha Delgadillo and they highlighted the Library's activities and events for February and March, 2011. For detailed information, contact the Library at 909/599-6738.

- b. Presentation from Golden State Water Company regarding water rates and the Weymouth Plant shut down

Ben Lewis, Manager, Golden State Water Company, advised that in 2008, a rate increase was filed as part of the Public Utilities Commission process, which resulted in a 20% rate increase that became effective as of December 2010.

Mr. Lewis also wanted to make everyone aware that between March 18-28, the Weymouth Water Treatment Plant will be taken offline in an effort to conserve water usage. He asked everyone to conserve and refrain from outside water usage during that time period.

c. Update on the H.E.R.O.E.S. program, including the Veteran's Memorial

Stan Wisniewski Sr. said their major fundraising begins in March and they want the entire community's support. He said posters and flyers will be distributed to businesses to raise awareness of their fundraising programs. He said brick pavers are available for sale which can be engraved and installed with the Veteran's Monument. Order forms can be found on their website at sandimasheroes.org. He said they will be making their final presentation in May to the Development Plan Review Board for the Memorial Construction design. He highlighted other fundraising events to be held at the Farmer's Market, San Dimas High School, Applebees, Family Fun Festival booth, and encouraged the community to show their support for the troops.

Gary Enderle asked if at a future meeting the City Council would consider authorizing the placement of a Thermometer at the intersection of Bonita Avenue/Arrow Highway to measure their fundraising efforts.

Councilmember Badar requested this item be placed on an agenda for discussion.

**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 and ask 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) Lynn Greenwade, Emmanuel Missionary Baptist Church, said their church is under new leadership under the direction of Pastor Gwen Martin. Ms. Greenwade offered information on The Bridge Community Outreach Ministry that provides support to individuals and families in social needs, education, arts and community awareness.

2) Margie Green, Chamber of Commerce Chairman of the Board, invited the community to a ribbon cutting at Montana's on March 21<sup>st</sup> and the Chamber networking breakfast on March 3<sup>rd</sup>, at San Dimas Canyon Clubhouse.

3) Ted Powl, Chamber of Commerce Volunteer, encouraged members of the community to participate in the Civic Academy for only \$98 for a seven-week program. Interested parties can contact the Chamber office at 909.592.3818.

4) Cyndy Williams said she sympathizes with the Farmer's Market having to move, however, she requested that it not be moved back to the Downtown, where it caused problems for the merchants.

5) David Harbin member of Citizens Protect San Dimas community invited voters to visit their website protectsandimas.com before casting their vote in the City's General Municipal Election.

6) Sid Maksoudian said that an investigation was launched by Sheriff Lee Baca's office and the truth will be told.

## 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.)

Assistant City Manager Duran reported that the Governor declared a state of emergency for several winter storms that caused heavy damage. The declaration now allows the State Office of Emergency Management to provide funds and reimburse the City for storm related expenditures. He said the deadline is February 24 to submit an application to receive funds. He said this opportunity came up after the agenda was posted and he requested the City Council to take action to place the item on the agenda, and approve the Resolution which authorizes the City Manager, Assistant City Manager and Director of Public Works to execute the documents on behalf of the City of San Dimas.

It was moved by Councilmember Bertone, seconded by Councilmember Templeman, to add Resolution No. 2011-09 to the agenda consent calendar. The motion carried unanimously.

It was moved by Councilmember Bertone, seconded by Councilmember Badar, 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. 2011-06**, A Resolution of the City Council of the City of San Dimas approving certain demands for the month of February, 2011.
  - (2) **RESOLUTION NO. 2011-07**, A Resolution of the City Council of the City of San Dimas authorizing the City Engineer to proceed with the preparation of annual reports for the annual Levy of Assessments for the Boulevard Open Space Maintenance District (TR 32818).
  - (3) **RESOLUTION NO. 2011-08**, A Resolution of the City Council of the City of San Dimas authorizing the City Engineer to proceed with the preparation of annual reports for the annual Levy of Assessments for the Northwoods Open Space Maintenance District (TR 32841).
  - (4) **RESOLUTION NO. 2011-09**, A Resolution of the City Council of the City of San Dimas designation of applicant's Agent Resolution for non-state agencies.
- b. Award of contract to Precision Relocation for relocation services for moving from Temporary City Hall to City Hall.

END OF CONSENT CALENDAR

## 6. OTHER MATTERS

- a. Update on the Farmers Market, with review of additional information since the last council meeting, and considerations for general discussion based upon a revised proposal as submitted by Advocates for Healthy Living.

Director of Parks and Recreation Bruns provided an update on the Farmers Market proposal and reviewed additional information received since the January 25, 2011 City Council meeting. She said residents of the Civic Center Park neighborhood were invited to attend a community input meeting on February 9, 2011. Ten residents representing six addresses attended and expressed concerns regarding the proposed Farmer's Market including traffic; noise level; limited parking for residents; 9:00 p.m. is too late; Wednesday is not preferred; restrooms; lack of policing; and trash left behind. A petition signed by 13 residents representing 11 addresses was received opposing the event.

Ms. Bruns reported that subsequently, a petition was submitted reflecting 29 residents representing 19 addresses expressing their support of the event. She noted that six individuals signed both petitions in favor of and in opposition to the event.

Ms. Bruns presented a revised event proposal and site plan from Advocates for Healthy Living and said the applicant committed to post signage regarding parking, patrol the areas for trash pick up, and work with city staff in ongoing adjustments to the event. Advocates for Healthy Living requested consideration to exempt overnight parking enforcement during the event season and adjust street sweeping service for the area.

Staff recommended that City Council consider the revised proposal for the 2011 Farmer's Market as submitted by Advocates for Healthy Living as an opportunity to facilitate discussion and provide further direction.

Mayor Morris stated that petitions in support and opposition are included in the packet and those petitioners in attendance will be given the opportunity to address the City Council. However, the City Council will not be voting on this item until staff has had a chance to compile the data and submit a proposal for Council consideration.

Councilmember Bertone stated he is in favor of having a Farmer's Market in the Civic Center, but does not support having amplified music.

In response to Council, Director Bruns said Advocates for Healthy Living pays a business license fee to operate the event based on an average number of vendors.

Mayor Morris invited comments from students and members of the audience.

In response to Student Mayor Pro Tem Miranda Galvez, Director Bruns stated that Albertson's had expressed concern that the Farmer's Market affected not only sales on Wednesdays, but also exposure, parking conflicts, and use of restrooms. She said other business shopping centers were also impacted by street closures and blocked driveways.

In response to Student Mayor Corbin Cho, Councilmember Badar said moving the Farmer's Market to a residential area has sparked the same concerns from residents, and it is the City Council's responsibility to weigh all concerns and come to an acceptable compromise.

Mayor Morris invited members of the public to express their position.

1) Bill Tilbury said after he solicited input from residents, he discovered that a large number of people are in favor of having a Farmer's Market. He stated that he worked with Director Bruns and Mr. Cuellar to put together the proposed site plan which he believes is an acceptable compromise. He encouraged support of the growers and small businesses that benefit the community.

Councilmember Bertone stated that it is better for the Council to consider both positive and negative issues.

2) Chris Rush, 626 Smead Way, said that even residents who oppose having the Farmer's Market on a week night would still like to have a Farmer's Market. He suggested conducting the event on a Saturday afternoon, when parking and music are not much of an issue.

3) Deedee Reidy, 126 E. 2<sup>nd</sup> Street, responded that the farmers who work the San Dimas event also work at surrounding cities on scheduled days of the week including weekends. She encouraged supporting the local farmers.

4) Loren Martin, 135 E. 2<sup>nd</sup> Street, said he signed two separate petitions, one opposed to the original plan, and the other in support of an alternate proposal. He supports the alternate proposal.

Mayor Morris pointed out that the Farmers Market vendors are not paying income taxes or sales tax in San Dimas and this event has had an impact on the Albertson's for many years. He said the proposal is being considered to operate the Farmer's Market on First Street, in the City Hall parking lot, and the Civic Center Park. He said closure of Iglesia between First and Second Streets is no longer being considered.

Director Bruns added that only child rides are being proposed for the Park and music is being proposed on the Plaza.

In response to Councilmember Badar, Maurice Cuellar replied that the shorter the period for the event, the less chance that the farmers would participate. He said the event is scheduled between April through September and the Wednesday night market is meant to be a destination for a family night out.

In response to Council, Mr. Cuellar replied that he is an unpaid volunteer and even donates salad bars to schools; he is open to having acoustical music.

Councilmembers Badar and Templeman wanted assurance that Farmers Market music did not conflict with Music in the Park and were adamant that food vendors be kept off the new Plaza.

In response to Mayor Pro Tem Ebner, Mr. Cuellar said he would not be able to explore other event locations and schedule farmers this year, but he is open to other sites for the event.

5) Bill Tilbury said farmers need a commitment and a place to operate. He said although there are some people who do not want the event in their neighborhoods, this is a community event and the City Council needs to make a decision on the proposed plan.

Councilmember Badar said he is in favor of having a Farmer's Market but would like to reach a suitable compromise.

6) In response to Jennifer Eicher, Mayor Morris replied that having the Farmer's Market on Bonita Avenue is not the proposal being considered and the City Council has not yet made a decision. He said there is a cost to blocking Bonita Avenue that include traffic impacts, re-routing busses, impacts to downtown merchants, and policing issues.

In response to Student Mayor Cho, Mayor Morris stated that there is a lot of opposition to having a Farmer's Market in a shopping center and in order to attract the farmers, the event organizes other activities.

7) Ryan Kenner, 225 No. Iglesia, said he moved his family to San Dimas in 2007 specifically for the Farmer's Market. He is pleased with the compromises and hopes the City Council votes in favor of the new proposal.

8) In response to Student Councilmember Schneider, Director Bruns explained that to have a certified Farmer's Market in California, the organization has to be nonprofit or a municipal organization. She further explained the process of operating the event including the cost of a business license fee and rental fee to participate in the market, of which a percentage is paid to the organization. She said no sales tax is paid to the City, however, vendor participants are responsible for having a resale license and are accountable to the Franchise Tax Board.

9) Mike Clifford expressed concern for children playing and excessive traffic going through the neighborhood if Bonita Avenue is blocked. He said conducting the event on First Street does not affect traffic flow on Bonita Avenue.

10) Sid Maksoudian read a letter from Joseph Evanilla addressed to the city hall regarding this matter, and said the Farmer's Market belongs to the masses not the few.

Mayor Pro Tem Ebiner and Councilmember Badar stated they both responded to Mr. and Mrs. Evanilla's letter and clarified the entire matter.

11) In response to Debra Black, Gretchen Sterling, Farmer's Market Manager, explained that the idea of moving the Farmer's Market off Bonita Avenue into a residential area makes residents unhappy, and outside agencies do not appreciate re-routing bus schedules if the market is held on a major street. She said that operating a Farmer's Market on Saturday is not a good option because families have weekend plans, and once school starts, evening markets are difficult. Ms. Sterling said ideally, markets open for Easter when fruit and produce are in season and farmers are willing to commit if they are able to finish off their crops throughout the season. She hopes the City Council considers keeping the Farmer's Market in the proposed location, which is accessible to everyone, does not divert traffic, and is less of an impact.

12) Loren Martin, Second Street does not see issues with the proposed move and feels it is a good compromise.

Mayor Morris replied that some residents signed a petition opposing the move to the proposed location. He invited members of the audience to express their concerns with the relocation of the Farmer's Market to First Street.

1) Jill Gibbs, 227 E. Second Street, said the relocation in conjunction with traffic congestion and noise from other events is excessive and would like the City Council to consider not having it there next year.

There being no one else wishing to speak, Mayor Morris deferred discussion to the Student Council who expressed their opinions that the community wants the Farmer's Market; shortening the time frame would discourage farmers from participating; and the Farmer's Market could be utilized to stimulate surrounding businesses.

Councilmember Bertone said he prefers the Farmer's Market on Bonita Avenue, but is willing to support the proposal, with the exclusion of acoustical and/or amplified music. He suggested that the parties involved commence brainstorming with staff on an ideal site for next year.

Mayor Morris noted that Mr. Cuellar indicated that youth groups perform and need recorded music in some form.

Mayor Pro Tem Ebiner said people live in the downtown area to attend community events such as Music in the Park and the Farmer's Market which provides opportunities for nonprofit groups to get exposure, fundraise, and awareness. He is willing to support the proposal this year with non-amplified music and moving the event to another location next year.

Student City Clerk Avalos said she loves the Farmer's Market which provides an opportunity for her family to bond. She said this is a big issue for those residents and she praised the people who took time out of their busy schedule to attend the meeting to find a solution.

Councilmember Badar said he could support the use of a radio or stereo system and he likes the time frame of closing at 8:00 p.m. He will wait until the final proposal to make a final decision.

In response to Council, Director Bruns stated that as a good faith effort to residents, she would like Advocates for Health Living to post each week designated resident areas and non-vendor parking. It is her plan to bring back on March 1, 2011 the current proposal which lists the event closing at 8:30 p.m. on non-school days and 8:00 p.m. during the school year and to include non-amplified music.

## RECESS

Mayor Morris recessed at 9:20 p.m. The meeting resumed at 9:30 p.m.

## 7. SAN DIMAS REDEVELOPMENT AGENCY

Mayor Morris recessed the regular meeting at 9:30 p.m. to convene a meeting of the San Dimas Redevelopment Agency Board of Directors. The regular meeting reconvened at 9:32 p.m..

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

### a. Members of the Audience

1) Sid Maksoudian stated that the website protectsandimas.com has introduced him to the public, and property owners and citizens have given him permission to put up banners. Mr. Maksoudian mentioned that a civil court found in favor of Sergeant Flannigan at the time when Councilmember Templeman was a Deputy Chief at Alhambra Police Department.

2) Chris S. Grant, 1784 Avenida Entrada, said he is a candidate for City Council and he thanked the Chamber of Commerce for hosting the Candidates Forum last Tuesday. He also reminded viewers to see the broadcast and make an educated decision on March 8, 2011.

### b. City Manager

- 1) Select a date for the Spring City Council - Staff Retreat - possible dates: Wednesday, April 13, Thursday, April 14 or May.

City Manager Michaelis will come up with a schedule of additional dates.

2) City Manager Michaelis informed the City Council that the March 9, 2011 meeting with Supervisor Antonovich was cancelled.

3) City Manager Michaelis invited the public to attend the Planning Commission forum to discuss issues regarding sign codes. The event will be held at the Sheriff's Station Community Meeting Room at 6:00 p.m. on March 16th. He said additional data is listed on the city's website at [www.cityofsandimas.com](http://www.cityofsandimas.com) and subsequent meetings will be held.

### c. City Attorney

There were no comments.

### d. Members of the City Council

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

No one attended meetings at the expense of the City.

- 2) Individual Members' comments and updates.

a) Councilmember Templeman said Mr. Maksoudian brought up an event when Mr. Templeman was working for Alhambra Police Department. Mr. Templeman explained that he selected the best person for the post of Detective which was sought by the Union President, who was later hired as a detective.

b) Mayor Pro Tem Ebner stated he is not making a comment on the website, just praising Mr. Harbin's service to the community.

c) Councilmember Badar reiterated that a special City Council meeting will be held on March 1, 2011 due to the election being conducted on March 8, 2011.

d) Councilmember Bertone announced that the City's General Municipal Election will be conducted on March 8, 2011. He praised the students' active participation in the meeting and Mayor Morris for bringing them out.

e) Assistant City Manager Stevens remarked that staff contacted the Chamber to include a flyer in their mailer publicizing the Planning Commission Forum which will also be advertised in the Community News and the City's website. He said as many resources as possible would be used to let people know about the Forum.

f) Mayor Morris thought the students got very involved in discussions. He added that if a poll were taken, more people would think David Harbin is a contributing member of this community.

**9. CLOSED SESSION – This item was deferred until March 1, 2011.**

**Recess to a City Council closed session pursuant to Government Code Section 54956.9(c):**

- a. Pursuant to the provisions of Government Code section 54956.9 (c) a closed session will be held with the city attorney to discuss potential litigation involving a dispute with the contractor arising out of the reconstruction/paving of Foothill Blvd.
- b. Report on closed session items.

**10. ADJOURNMENT**

Mayor Morris adjourned the meeting at 9:47 p.m. The next City Council special meeting will be held on Tuesday, March 1, 2011, 7:00 p.m.

The March 8, 2011 regular City Council meeting will be cancelled to conduct the City of San Dimas General Municipal Election. Instead, on March 1, 2011, at 7:00 p.m. a special meeting of the City Council will be held. The agenda for that meeting will include those items that would otherwise be considered at the March 8, 2011 meeting.

Respectfully submitted,

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Ina Rios, CMC  
City Clerk