



MINUTES
REGULAR CITY COUNCIL
TUESDAY, SEPTEMBER 27, 2011, 7:00 P. M.
SAN DIMAS COUNCIL CHAMBERS
245 E. BONITA AVE.

PRESENT:

Mayor Curtis W. Morris
Mayor Pro Tem Jeff Templeman
Councilmember Emmett Badar
Councilmember Denis Bertone
Councilmember John Ebiner
City Manager Blaine Michaelis
City Attorney J. Kenneth Brown
City Clerk Ina Rios
Assistant City Manager for Community Development Larry Stevens
Assistant City Manager Ken Duran
Director of Development Services Dan Coleman
Director of Public Works Krishna Patel
Director of Parks and Recreation Theresa Bruns

1. CALL TO ORDER AND FLAG SALUTE

Mayor Morris called the meeting to order at 7:00 p.m. and led the flag salute.

2. ANNOUNCEMENTS

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

Pui-Ching Ho, Library Manager, announced that the Friends of San Dimas Library annual Book sale will be held on September 30 through October 2, 2011 during Western Days; the Book Party will meet Wednesday, October 5th to discuss the book for October *The Help*; Artist Charlotte Cano will host 2 workshops on October 8th to teach children how to read, write and draw their own books: For detailed information, contact the Library at 909/599-6738.

- Walnut Creek Community Meeting, Thursday, September 29, 2011, 6:30-8:00 p.m. Stanley Plummer Community Building.

Assistant City Manager Stevens reminded that in partnership with the City of San Dimas, the Watershed Conservation Authority will host a Walnut Creek Habitat Visioning Workshop on Thursday, September 29, 2011, from 6:30 p.m. to 8:00 p.m., in the Stanley Plummer Community Building. He said a site assessment report with preliminary information about the property will be available online at www.watershedconservationauthority.org or at www.cityofsandimas.com.

In response to Mayor Morris, Mr. Stevens replied that the event is open to the public and the consultant representing the Watershed Conservation Authority will be making a presentation and answering questions. The Tzu Chi Foundation will be giving a short presentation on their ideas for their use of their property.

- Earthquake Preparedness – Great California Shakeout on Thursday, October 20, 2011

Assistant City Manager Duran said October is earthquake preparedness month and a simulated earthquake exercise will be conducted on October 20, 2011, at 10:20 a.m. to encourage residents, families, businesses and organizations throughout the state to participate in the exercise to practice drop, cover and hold techniques. He said to register for the exercise or for additional information about emergency preparedness, visit website www.shakeout.org.

In response to Mayor Morris, Mr. Duran replied that city hall and city facilities would be participating in the exercise and expanded exercise.

3. ORAL COMMUNICATIONS (Members of the audience are invited to address the City Council on any item not on the agenda. Under the provisions of the Brown Act, the legislative body is prohibited from taking or engaging in discussion on any item not appearing on the posted agenda. However, your concerns may be referred to staff or set for discussion at a later date. If you desire to address the City Council on an item on this agenda, other than a scheduled public hearing item you may do so at this time or asked to be heard when that agenda item is considered. Comments on public hearing items will be considered when that item is scheduled for discussion. The Public Comment period is limited to 30 minutes. Each speaker shall be limited to three (3) minutes.)

a. Members of the Audience

1) Mitchell Crawford, Chair, Chamber of Commerce, invited the community to attend the Western Days event on Saturday and Sunday, October 1-2. He outlined the schedule of events and activities for the fun filled weekend, including a pancake breakfast, parade, display by crafters, food, children's activities, and entertainment.

2) Mr. Crawford also reminded the community that the 17th annual San Dimas Rodeo will be held at the Tex Shoemaker Rodeo Arena at Horsethief Canyon. The gates open at 11:00 a.m. and a schedule of events is available at www.sandimasrodeo.com.

4. CONSENT CALENDAR

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

It was moved by Mayor Pro Tem Templeman, seconded by Councilmember Ebner, 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. 2011-48**, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN DIMAS APPROVING CERTAIN DEMANDS FOR THE MONTH OF SEPTEMBER 2011.

b. Ordinances read by title, further reading waived, passage and adoption recommended as follows:

(1) **ORDINANCE NO. 1209**, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN DIMAS APPROVING MUNICIPAL CODE TEXT AMENDMENT 11-01, AMENDING THE DRIVE-THROUGH RESTAURANT REQUIREMENTS OF CODE SECTION 18.540.130.B WITHIN SPECIFIC PLAN 24, AREA 1 – REGIONAL COMMERCIAL ZONE.
SECOND READING AND ADOPTION

c. Approval of minutes for regular meeting of September 13, 2011.

d. Reject claim for damages from Marie Sandoval.

e. Reject claim for damages from Robert T. Mathis, II.

f. Reject claim for damages from Lauren Rich.

g. Reject claim for damaged from Florence Quinn.

- h. Baseline Road at Cataract Avenue Street Pavement Improvements:
Authorization to waive formal bid process to retain AAA Paving Company and award up to \$30,000 for pavement repairs. Appropriation of \$30,000 from Gas Tax funds for pavement repairs on Baseline Road in conjunction with Crestwood Communities (Tract 62861) street improvements.
- i. San Dimas High School 4th Annual Homecoming Parade. Restricted closure of certain streets within the Downtown Area on Friday, October 14, 2011 from 2:00 p.m. to 5:00 p.m.
- j. Tax Sharing Resolutions approving and accepting negotiated exchange of property tax revenues resulting from annexation to County Sanitation District No. 21 (Annexation No. 703) two existing single-family homes and one proposed single-family home on Puddingstone Drive.
- k. Tax Sharing Resolutions approving and accepting negotiated exchange of property tax revenues resulting from annexation to County Sanitation District No. 22 (Annexation No. 378) one existing single-family home on Cannon Avenue.

END OF CONSENT CALENDAR

5. OTHER MATTERS

- a. Consider a three-month extension of Agreement with University of La Verne regarding management and operation of the San Dimas cable television government access channel KWST.

Assistant City Manager Duran stated that pursuant to the Digital Infrastructure and Video Competition Act, Time Warner was granted a state franchise effective January 11, 2009 that released them from their obligation to provide management of the City's public access channel. He said in 2009, the City Council approved a one-year Agreement with the University of La Verne to manage and operate the City's channel. He said the Agreement was renewed in 2010 and extended to coincide with the City's fiscal year, with a term through June 30, 2011. Mr. Duran said the Agreement was renewed for three months through September 30, 2011 to allow time to work with the KWST staff to address some of the technical, equipment and operational issues. Staff recommends the City Council authorize the amendment to the existing Agreement with the University of La Verne to allow for an additional three month extension of the term, expiring December 31, 2011, to allow both entities the opportunity to refine technical issues and fully implement new equipment; and to authorize the City Manager to execute the amendment. He said Don Pollock, La Verne University, is present to answer questions.

It was moved by Councilmember Bertone, seconded by Mayor Pro Tem Templeman, to authorize the City Manager to execute a three-month extension to expire December 31, 2011, of an amendment to the existing Agreement with the University of La Verne for the operation of the San Dimas cable television community access channel, KWST. The motion carried unanimously.

- b. Request by Christ Church of the Valley to close Covina Boulevard between Valley Center and Kimberly Avenue on Monday, October 31, 2011, from 1:00 p.m. to 10:00 p.m. to conduct a Halloween event.

Assistant City Manager Duran presented a request from Christ Church of the Valley to close a portion of Covina Boulevard, from Valley Center to Kimberly Avenue, on Monday, October 31, 2011, from 1:00 p.m. to 10:00 p.m. to conduct a Halloween event. He said if approved, the applicant would need to submit a Special Event Permit application and provide a traffic control plan to be approved by the Traffic Safety Committee. He said since there have been previous parking issues associated with the Church, staff notified surrounding residents of this meeting. Correspondence was received from two residents opposing the

request and copies were provided to the City Council. Representatives from Christ Church of the Valley are present.

Assistant City Manager Duran responded to Council that there would be egress and ingress to Kimberly Road; and since this is the first year requiring street closure, a permit is required due to the extent of activities.

Mayor Morris invited church representatives to make their presentation.

1) Dane Johnson, Senior Associate Pastor, Christ Church of the Valley, introduced Jon Brainard, Chairman of the Board, Jeff Meiter, the registered Civil Engineer who provided the traffic plan, and Jaime Mendoza who oversees their local outreach ministry. He said this will be their 14th annual Trunk or Treat event designed to encourage families to bring small children to a safe and controlled environment. He mentioned that the event has grown every year, and moving the Trunk or Treat vehicles to the street will free parking spaces to enable families to park on campus instead of walking on the streets to get to the event. He stated he will work with staff to minimize the impact on the neighborhood.

In response to Mayor Morris, Pastor Johnson replied that the event will close at 8:00 p.m. and with the large band of volunteers, he feels confident that cleanup will conclude by 9:00 p.m.

In response to Mayor Pro Tem Templeman, Pastor Johnson stated that they are not planning to run light towers, however, adequate lighting is needed for safe access to each vehicle to avoid incurring liability issues. He added that they will control volume level from music playing on campus and will provide contact information to address issues from surrounding residents.

In response to Councilmember Bertone, Pastor Johnson stated that if the request is approved, he will meet with staff and residents to address any issue that may arise.

In response to Councilmember Ebner, Pastor Johnson replied that a safety team consisting of Police Officers, Sheriff's Deputies, Firefighters and Paramedics submitted a safety plan that includes traffic flow and security for the event.

In response to Councilmember Ebner, Public Works Director Patel replied that the applicant submitted plans this date and staff anticipates completing review of the plans by October 19th.

In response to Councilmember Badar, Director Patel replied that a traffic control company will provide all barricades and equipment funded by the Church and city staff will charge a fee for set up.

Mr. Duran mentioned that the event will require a special event permit and staff will impose specific conditions to address noise, lighting, and traffic and safety plan, whether or not the street closure is approved.

2) Bob Fleming, expressed concern that motorists coming off Covina Boulevard and Badillo Street would be blinded by the lights at the event and would not stop at the street closure. He added that there is only one way in to the dirt parking lot.

In response to Councilmember Ebner, Director Patel stated that for traffic safety purposes, staff plans to post "No Event Parking" signs along Kimberly Avenue, Hansel, and Greenhaven, and the right turn lane to Covina Boulevard would be closed.

3) Jeff Meiter, 16722 Clovermead, Covina, said he is the registered Civil Engineer who prepared the plans submitted to the Public Works Department. He outlined the signage plan required for detours and said directional signs would be posted at the intersection of Covina Boulevard/Badillo Street. He added that he addressed all METCD codes required for the temporary closure with the use of proper barricades and proper signage. He will work with city staff to ensure the plan is appropriately signed and approved according to city standards. He pointed out that the dirt lot will not be used for parking for this event and the only parking will be accessible off Badillo Street and Valley Center into a paved parking lot.

It was moved by Mayor Pro Tem Templeman, to approve the street closure on Covina Boulevard from Valley Center to Kimberly Avenue, on Monday, October 31, 2011, from 1:00 p.m. to 10:00 p.m. subject to the appropriate conditions required by the Public Works Department.

The motion was seconded by Councilmember Badar, who stated that the City provides an event for youngsters to participate in a safe location. He is encouraged that churches, schools, and other organizations are providing a safe place to enjoy Halloween and other holidays.

The motion carried unanimously.

- c. Adoption of Resolution No. 2011-49 approving a Remittance Agreement between San Dimas Redevelopment Agency and City of San Dimas for the reimbursement of funds necessary to make the Redevelopment Agency continuation payments.

1) RESOLUTION NO. 2011-49, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN DIMAS APPROVING A REMITTANCE AGREEMENT BY AND BETWEEN THE CITY OF SAN DIMAS AND THE SAN DIMAS REDEVELOPMENT AGENCY, PURSUANT TO THE AUTHORITY SET FORTH IN HEALTH AND SAFETY CODE SECTION 34194.2 (AB 1X 27)

Assistant City Manager Duran provided background on Assembly Bills 1x26 that dissolves Redevelopment Agencies and 1x27 that allows for the city to make specified payments to the State to allow Redevelopment Agencies to continue. Assembly Bill 1x27 also allows for the Redevelopment Agency to reimburse the City for those payments. Mr. Duran presented a proposed Reimbursement Agreement that authorizes the City to enter into an agreement with the Agency to transfer a portion of its tax increment to the City in an amount not to exceed the required annual remittance pursuant to Ordinance No. 1206 adopting an Alternative Voluntary Redevelopment Program approved by the City Council on August 23, 2011. He said the payment amount due is \$1,753,485 for fiscal year 2011-12 and approximately \$425,746 is due for fiscal year 2012-13. Mr. Duran added that the Agreement also sets forth the Agency's intention to forego making its 20% Housing Set-Aside payment this year and using those funds for a portion of the payment. Staff recommends the City Council adopt Resolution No. 2011-49 approving the Remittance Agreement.

After the title was read, it was moved by Councilmember Bertone, seconded by Mayor Pro Tem Templeman, to waive further reading and adopt **RESOLUTION NO. 2011-49, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN DIMAS APPROVING A REMITTANCE AGREEMENT BY AND BETWEEN THE CITY OF SAN DIMAS AND THE SAN DIMAS REDEVELOPMENT AGENCY, PURSUANT TO THE AUTHORITY SET FORTH IN HEALTH AND SAFETY CODE SECTION 34194.2 (AB 1X 27)**. The motion carried unanimously.

6. SAN DIMAS REDEVELOPMENT AGENCY

Mayor Morris recessed the regular meeting at 7:49 p.m. to convene a meeting of the San Dimas Redevelopment Agency Board of Directors. The regular City Council meeting reconvened at 7:54 p.m..

7. ORAL COMMUNICATIONS

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

No one came forward to speak.

- b. City Manager

City Manager Michaelis said the meeting for Walnut Creek will be held on Thursday, nevertheless, Mayor Morris will be available to answer questions at his show *Ask the Mayor* on Thursday, at 7:00 p.m.

- c. City Attorney

There were no comments.

- d. Members of the City Council

- 1) Reappointment to Golf Course Advisory Committee

Golf Course Advisory Committee Member A.F. "Shorty" Feldbush's term expires on September 30, 2011. He is eligible for and has requested reappointment to the Committee.

It was moved by Mayor Pro Tem Templeman, seconded by Councilmember Badar, to reappoint A. F. "Shorty" Feldbush to the Golf Course Advisory Committee for a two-year term expiring September 30, 2013. The motion carried unanimously.

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

- a) Mayor Pro Tem Templeman disclosed that he attended the League of California Cities conference in San Francisco on September 21-23, 2011. He focused on two sessions regarding signage and downtowns. He said the expectation is that 50% of retail will be internet driven and the interest is to have more service oriented business in a shopping center because they bring in people. He encouraged staff to think about considering more service oriented business for San Dimas.

Mr. Templeman mentioned that San Dimas supported a City of Glendora Resolution opposing the public safety realignment where responsibility for non-serious State prisoners is shifted to Counties. He expressed concern about the spike in the crime rate in the San Dimas community and the financial impact on our local Sheriff's Station.

Councilmember Bertone stated that the San Gabriel Valley Council of Governments also adopted the Glendora Resolution.

- b) Councilmember Badar reported that he attended the League of California Cities conference as well and as the delegate voting member on behalf of the City Council, he voted to support Glendora's resolution, which was unanimously supported. He said most of the prisoners released to local jurisdictions are female, and they would not normally be released from a correctional facility due to prison overcrowding. He noted he has not had the opportunity to discuss ramifications with the Sheriff's Captain.

- c) Councilmember Bertone said at the League conference he attended a very interesting and informative session concerning parliamentary procedures for mayors and councilmembers. He believed the San Dimas City Council did a good job of following those procedures.

d) Mayor Morris reported that he attended the League of California Cities conference and said the prospects for economic turnaround and other serious subjects were discussed.

3) Individual Members' comments and updates.

a) Mayor Pro Tem Templeman said he would provide a copy of Glendora's resolution to the City Clerk.

8. ADJOURNMENT

Mayor Morris adjourned the meeting at 8:02 p.m. The next meeting is on October 11, 2011, 7:00 p.m.

Respectfully submitted,

Ina Rios, CMC, City Clerk