



**MINUTES**  
**REGULAR CITY COUNCIL**  
**TUESDAY, JANUARY 10, 2012, 7:00 P. M.**  
**SAN DIMAS COUNCIL CHAMBERS**  
**245 E. BONITA AVE.**

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**PRESENT:**

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

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 7:02 p.m. and led the flag salute.

**2. RECOGNITIONS**

- Present Proclamation to Randy Dominguez, San Dimas Postmaster, retiring after 40 years of service

On behalf of the City Council and staff, Mayor Morris extended sincere congratulations and presented a proclamation to San Dimas Postmaster Randy Dominguez, who made the decision to retire after a successful 40 years of service to the United States Postal Service, 18 years of which were served in San Dimas. Mayor Morris said Mr. Dominguez has been active in the community and will be missed.

Randy Dominguez thanked the City Council for the recognition and said it has been an honor to be Postmaster in San Dimas, which is a very attractive city. He is moving to the next stage of his life.

Councilmember Bertone congratulated Mr. Dominguez on his upcoming nuptials.

**3. ANNOUNCEMENTS/PRESENTATIONS**

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

1) Pui-Ching Ho, Library Manager, invited families to explore a variety of musical instruments to tell stories on Wednesday, January 18, at 6:30 p.m.; The Book Party Group will discuss the book for January *L.A. Confidential* on Thursday, January 19, at 6:30 p.m.; a free Handwriting Analysis workshop will be held on Saturday, January 21, at 3:00 p.m. for teens and adults; The Book Party Group will meet at 10:30 a.m. on Wednesday, February 1, at the Senior Citizen/Community Center, to discuss *1984*. Children were invited to meet and pet puppies at a special Valentine Day program on Saturday, February 11. The children can stay to decorate stuffed puppies and enjoy refreshments. For detailed information, contact the Library at 909/599-6738.

b. Update on San Dimas HEROES and recognition

1) Gary Enderle, San Dimas HEROES, reported that they are in the process of repairing two banners and replacing approximately 13 banners that were damaged during the November windstorm. On behalf of the HEROES, he thanked the city crew for an excellent job maintaining the banner brackets.

Mr. Enderle announced that Phase I of the Veterans Memorial project is now complete and encouraged all to go by to see it. He thanked Mayor Morris and Councilmembers who participated in the flag raising event. Mr. Enderle reported that the organization raised \$190,000 and paid \$130,000 for Phase I, and the organization is now in the process of working on Phase II, which will be the sculpture water feature. He praised Architect and Designer Eddie Martinez; thanked the community for their financial support of the project; and city staff who made this a success.

Mayor Pro Tem Templeman thanked Mr. Enderle and the HEROES Committee for all the work and said he hears compliments on the very attractive project.

2) Janie Graef, San Dimas HEROES, described the Remembrance Fountain, a five-pointed star water feature representing the five branches of the military service flowing together to become one and signifying the blood shed by veterans. She said the Fountain was designed by Mr. Martinez and will be located in front of the monument with the names of veterans, to invite visitors to reflect on what the veterans have done for us. She said the Committee is working hard on fundraising events and anticipates that the Fountain will be completed by June 2012.

3) Tom Nuss, San Dimas HEROES, added his thanks to everyone who worked together on this project. He mentioned he has difficulty walking and would appreciate it if funds can be budgeted for the purchase of benches so that older veterans can spend a few minutes at the monument site without feeling uncomfortable.

4) Gary Enderle announced two fundraisers that will be held to benefit the HEROES monument project: 1) Bedazzle Beauty Salon will donate 100% proceeds from their Cut-A-Thon on Saturday, February 11, 2012; and 2) Fritz Coleman Comedy Night on Saturday, March 10, 2012, 6:30-8:30 p.m., in the Stanley Plummer Building. Social Hour will be held from 6:00-7:00 p.m. and refreshments will be served. Tickets are \$25 and proceeds will benefit the Veterans Monument.

5) Mr. Enderle invited Mayor Morris and all committee members to recognize Eddie Martinez, General Contractor/Designer, who put in much of his personal time and effort into the memorial project.

Mayor Morris presented a proclamation to Eddie Martinez of EM3 Group in appreciation for his dedication and commitment to the San Dimas Veterans Monument project.

Eddie Martinez said it has been an honor and joy to work on this project.

Gary Enderle thanked everyone who contributed in different ways to get us where we are today.

- c. Update and reminder on sales process for four city-owned condominiums at Grove Station.

Assistant City Manager Stevens said the city acquired four units at the Grove Station project to accommodate compliance with affordable housing requirements. The City is actively advertising the units to solicit potential buyers, and has extended the closing date to February 24, 2012 for filing pre-qualification applications. Mr. Stevens reviewed the preliminary qualifications to pursue acquisition of the property and encouraged interested parties to contact the City Housing Division at 909.394.6207. He added that all information is posted on the City's website at [www.cityofsandimas.com](http://www.cityofsandimas.com).

**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) Michael Felberg, representing the American Cancer Society Relay for Life, said he lost his uncle and almost lost his mother to cancer. The goal is to have someone on the track 24 hours for the two-day period, starting April 28, 2012.

- 2) Margaret Felberg, Chair for San Dimas Relay for Life, distributed fliers and announced the kick-off event will be held on February 1<sup>st</sup>, 6:30-8:30 p.m., at Clayton Brewing. She invited everyone to participate in the San Dimas Relay for Life event, scheduled from 9:00 a.m. Saturday, April 28<sup>th</sup> to 9:00 a.m. Sunday, April 29<sup>th</sup>, at Horsethief Canyon Park. She thanked Parks and Recreation staff and said over 22 teams raised \$50,000 last year.

#### **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.)

Councilmember Ebner requested amendment to page four of the minutes to strike the word "appeal" in the fourth paragraph to reflect "the existing ~~appeal~~ policy."

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

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

- (1) **RESOLUTION NO. 2012-01, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN DIMAS, CALIFORNIA, APPROVING CERTAIN DEMANDS FOR THE MONTHS OF DECEMBER 2011 AND JANUARY, 2012.**

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

- (1) Ordinance No. 1210 amending various provisions of the San Dimas Municipal Code Title 1 and Title 8 regarding enforcement.

**ORDINANCE NO. 1210, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN DIMAS, CALIFORNIA, AMENDING THE SAN DIMAS MUNICIPAL CODE TITLE 1 AND TITLE 8 REGARDING ENFORCEMENT PROCEDURES. SECOND READING AND ADOPTION**

**(2) ORDINANCE NO. 1211, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN DIMAS REPEALING CHAPTER 15.40 OF THE SAN DIMAS MUNICIPAL CODE. SECOND READING AND ADOPTION**

- c. Approval of minutes for the regular City Council meeting of December 13, 2011.

END OF CONSENT CALENDAR

**6. OTHER MATTERS**

- a. Request for the appropriation of \$45,000 from Fund 12, Infrastructure Fund, for ADA inspection of all City facilities, and improvements at the Senior Citizen/Community Center and the San Dimas Avenue Park and Ride Parking Lot.

Facilities Manager DeLeon reported that the Americans with Disabilities Act was revised effective 2012 to allow a “safe harbor” window of opportunity for facilities that have not yet met the 1991 standards to become compliant under previous standards. Staff evaluated and identified potential facilities and compiled a list of potential improvements to the Senior Citizen/Community Center and the Park and Ride lot. Staff recommended appropriation of \$45,000 from Infrastructure Fund 12 for the completion of ADA compliance projects and to purchase the necessary survey tools.

It was moved by Councilmember Bertone, seconded by Mayor Pro Tem Templeman, to approve appropriation of \$45,000 from the Infrastructure Fund 12 to complete the projects identified at the Senior Citizen/Community Center, the San Dimas Avenue Park and Ride parking stall modifications and to purchase the necessary inspection tools to complete the survey of the remaining city facilities. The motion carried unanimously.

- b. City Council approval of Agreement with Bank to substitute cash transfer to City in place of Letter of Credit for Grove Station.

City Attorney Brown reported that on March 21, 2008 the City Council entered into a Subdivision Agreement between the City and the Developer of the Grove Station project, and in conjunction therewith, Surety Bonds in the amount of \$802,038 were posted. Subsequently, issues arose as the project moved forward, and a Receiver was appointed to complete construction of the project. In July 2010, the City and the Receiver executed a Letter of Credit and Segregation of Funds Agreement in the amount of \$80,203.80 to cover problems that might arise during the warranty period. After discussion with staff and the Receiver, the Bank has proposed to substitute a transfer of \$80,000 to the City for the Letter of Credit, in return for release of further obligations as stipulated in the Letter of Credit Agreement and the Subdivision Agreement. City Attorney Brown and staff recommended that the City Council authorize the execution of an agreement with the Bank to substitute the cash transfer in the amount of \$80,000 to the City in lieu of the Letter of Credit for Grove Station.

It was moved by Councilmember Bertone, seconded by Councilmember Ebner, to authorize the City Manager to execute an Agreement with the Bank consistent with provisions set forth as reported and on terms acceptable to the City Engineer, the Public Works Director, and the City Attorney. The motion carried unanimously.

- c. Review of decorative lights for the Walker House.

Assistant City Manager Duran provided a brief background on the purchase of holiday lights and said the removal of holiday lights at the Walker House was postponed to allow discussion and direction on whether or not to keep the lights on year-round. He said the city contracts for installation, removal and repair of the lights and the only additional expense is wear and tear of the lights. The decision to keep the lights year-round is the pleasure of the City Council.

In response to Councilmember Badar, Mr. Duran replied that the city paid \$1,000 for the entire set of lights and pays the contractor \$5,000 to install and remove the lights. He said the major cost is for the rental of equipment required to reach the higher elevation of the building. He added there is no cost to postpone or cancel the removal of lights and he does not have a cost estimate for a more permanent type of light.

Mayor Pro Tem Templeman said he has heard positive remarks from the community to keep the lights on. He said the City Council can consider a more permanent type of light when the lights get into disrepair. He moved to keep the decorative lights on year-round at the Walker House.

In response to Councilmember Ebner, Mr. Duran replied that according to the contractor, the plastic sockets and materials would deteriorate due to exposure to UV and individual bulbs or entire strands could go out, which would require equipment for replacement.

Councilmember Ebner expressed concern that if a few bulbs burned out, it could cause a spotty appearance that would detract from the building.

Councilmember Badar said the lights were installed to highlight the holiday season. He asked what happens when the holidays approach next year and citizens ask how the Walker House will be decorated for Christmas.

Councilmember Bertone seconded Mayor Pro Tem Templeman's motion to keep year-round the decorative lights at the Walker House. He added that when the Christmas or holiday season approaches, the City Council can then decide to do something extra at the Walker House.

Mayor Morris mentioned that members voted unanimously at the Bonita Avenue Corridor meeting to ask the City Council to keep the lights on year-round at the Walker House. Mayor Morris said the lights outline the architectural features of the building and as suggested by Mayor Pro Tem Templeman, the City Council can decide what to do if the bulbs burn out.

The motion carried unanimously.

## **7. JOINT CITY COUNCIL/SAN DIMAS REDEVELOPMENT AGENCY**

Mayor Morris recessed the regular City Council meeting at 7:53 p.m. to convene a meeting of the joint City Council/San Dimas Redevelopment Agency Board of Directors. The regular City Council meeting was reconvened at 8:40 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.)

No one came forward to comment.

- b. City Manager

There was no report.

- c. City Attorney

There was no report.

d. Members of the City Council

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

Councilmember Badar reported that he attended the California Contract Cities Association annual legislative tour in Sacramento on January 8-10, 2012, for an opportunity to speak with legislators. He said the topics on the agenda were: 1) the elimination of redevelopment; 2) Continued State budget crisis; 3) Realignment; and 4) Water and the Future of California. He said all discussion revolved around redevelopment. He added that the majority of legislators are concerned with the direction the Bill went and the two parties are working together to see if amends can be made.

- 2) Individual Members' comments and updates.

a) Mayor Pro Tem Templeman thanked Public Works for the report on the upcoming street projects. He said now that redevelopment has been eliminated, it will be interesting to see what State Housing has to say about our Housing Element.

Assistant City Manager Stevens replied that Director Coleman participated in a conference call and there is no one willing to say anything about how it will affect Housing Element Law now that all financial resources have been eliminated.

b) Councilmember Bertone said city staff has been prudent with the housing projects and he praised the City Manager for his frugality.

c) Mayor Pro Tem Templeman said the Costco site was a pretty blighted area that was eliminated with the construction of the Costco Store.

d) Mayor Morris thanked staff for putting together an excellent presentation.

**9. ADJOURNMENT**

Mayor Morris adjourned the meeting at 8:51 p.m. The next City Council meeting is January 24, 2012, at 7:00 p.m.

Respectfully submitted,

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Ina Rios, CMC, City Clerk