



**AGENDA**  
**REGULAR CITY COUNCIL/**  
**SAN DIMAS SUCCESSOR AGENCY**  
**TUESDAY, MAY 22, 2012, 7:00 P. M.**  
**SAN DIMAS COUNCIL CHAMBERS**  
**245 E. BONITA AVENUE**

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**COUNCIL:**

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

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

**2. RECOGNITIONS**

- Recognize San Dimas High School Athletes who represented the school in CIF Championship Competition, and the San Dimas High School Tribune Volleyball Coach of the Year.

**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

**4. CONSENT CALENDAR**

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

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

- (1) **RESOLUTION NO. 2012-29, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN DIMAS APPROVING CERTAIN DEMANDS FOR THE MONTH OF MAY, 201.**
- (2) **RESOLUTION NO. 2012-30, A RESOLUTION OF THE CITY OF SAN DIMAS APPROVING AN AGREEMENT FOR THE ADVANCE AND REIMBURSEMENT OF EXPENSES FOR CITY STAFF, OFFICE SPACE, EQUIPMENT AND SUPPLIES WITH THE CITY OF SAN DIMAS AS THE SUCCESSOR AGENCY TO THE CITY OF SAN DIMAS REDEVELOPMENT AGENCY.**

- c. Approval of the Youth Employment Plan for Grant No. 58H9-07-2111, Horsethief Canyon Park Multi-Use Trail System, Poison Oak Trail and Hilltop Picnic Area.
- d. Rejection of claim for damages from Richard McKinn.
- e. Rejection of claim for damages from Ralph Breceda.

END OF CONSENT CALENDAR

**5. PUBLIC HEARINGS**

*(The following item has been advertised and/or posted. The meeting will be opened to receive public testimony.)*

- a. Recommending the Assessment Rate be confirmed for District 1 (Boulevard, Tract 32818) and District 1, Annexation No. 3 (Northwoods, Tract 32841), pursuant to the Landscape and Lighting Act of 1972 and subject to the procedures and approval process of Section 4 of Article XIID of the California Constitution.

**1) RESOLUTION NO. 2012-32**, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN DIMAS, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, CONFIRMING THE DIAGRAM AND ASSESSMENT FOR FISCAL YEAR 2012-2013 FOR OPEN SPACE DISTRICT NO. 1 (TRACT 32818, BOULEVARD DEVELOPMENT.)

**2) RESOLUTION NO. 2012-33**, RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN DIMAS, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, CONFIRMING THE DIAGRAM AND ASSESSMENT FOR FISCAL YEAR 2012-2013 FOR OPEN SPACE DISTRICT NO. 1, ANNEXATION NO. 3 (TRACT 32841, NORTHWOODS.)

- b. Setting the Special City-wide parcel tax for Fiscal Year 2012-2013.

**1) RESOLUTION NO. 2012-34**, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN DIMAS, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, SETTING THE SPECIAL CITYWIDE PARCEL TAX FOR FISCAL YEAR 2012-2013 TO BE USED FOR LANDSCAPE MAINTENANCE PURPOSES.

**6. OTHER MATTERS**

- a. Consider increase to Business License Fees.

**1) RESOLUTION NO. 2012-35**, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN DIMAS, COUNTY OF LOS ANGELES, SETTING THE BUSINESS LICENSE FEES RATES FOR FISCAL YEAR 2012-13.

- b. Consider continuation of the 1% Public, Educational and Government (PEG) fee for public access support.

**1) RESOLUTION NO. 2012-36**, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN DIMAS SETTING THE PUBLIC ACCESS FEE FOR FISCAL YEAR 2012-2013 TO BE USED FOR PEG PURPOSES.

## 7. 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
- 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.

## 8. ADJOURNMENT

The next meeting is 7:00 p.m. on June 12, 2012.

**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 245 EAST BONITA AVENUE DURING NORMAL BUSINESS HOURS. [PRIVILEGED AND CONFIDENTIAL DOCUMENTS EXEMPTED]

**POSTING STATEMENT:** ON MAY 18, 2012, A TRUE AND CORRECT COPY OF THIS AGENDA WAS POSTED ON THE BULLETIN BOARDS AT 245 EAST BONITA AVENUE (SAN DIMAS CITY HALL); 145 NORTH WALNUT AVENUE (LOS ANGELES COUNTY PUBLIC LIBRARY, SAN DIMAS BRANCH); AND 300 EAST BONITA AVENUE (UNITED STATES POST OFFICE); ALSO 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. 2012-29**

A RESOLUTION OF THE CITY COUNCIL OF THE  
CITY OF SAN DIMAS, CALIFORNIA, APPROVING  
CERTAIN DEMANDS FOR THE MONTH OF  
MAY 2012

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 Warrant Register: 05/30/2012; 139861 through 139992; in the amount of  
\$734,035.48.

PASSED, APPROVED AND ADOPTED THIS 22nd DAY OF MAY 2012.

\_\_\_\_\_  
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 May 22, 2012, by the following vote:

AYES:  
NOES:  
ABSENT:  
ABSTAIN:

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

4.a.1



**THE WARRANT DISBURSEMENT  
JOURNAL IS NOT AVAILABLE TO  
VIEW THROUGH LASERFICHE**

**A PAPER COPY IS AVAILABLE  
IN THE FINANCE DIVISION**



# Agenda Item Staff Report

**TO:** Mayor and Members of the City Council  
For the meeting of May 22, 2012

**FROM:** Ken Duran, Assistant City Manager

**SUBJECT:** Review of a proposed resolution approving an agreement between the City of San Dimas and Successor Agency to reimburse for administrative expenses.

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## BACKGROUND

Pursuant to Health and Safety Code Section 34171(d)(1)(F), contracts or agreements necessary for the administration or operation of the Successor Agency to the City of San Dimas Redevelopment Agency ("Successor Agency") including, but not limited to, City staff, office space, equipment and supplies are enforceable obligations. Pursuant to Health and Safety Code Sections 34178(a) and 34180(h), with the approval of the Oversight Board, the Successor Agency may enter into agreements with the City of San Dimas ("City"). In connection with the administration and operations of the Successor Agency, the Successor Agency is and will be utilizing the City staff, facilities and other resources of the City. By providing and making available to the Successor Agency the City staff, facilities, services, and other resources of the City, including, City staff, office space, equipment, and supplies, necessary to the administration and operations of the Successor Agency, the City has advanced and will continue to advance the cost of the foregoing to the Successor Agency. The attached agreement has been prepared to provide for the advance and reimbursement of said expenses. The Oversight Board approved the form of the attached agreement, which is presented to the City and Successor Agency for approval.

## RECOMMENDATION

The following is recommended to the City and Successor Agency:

1. Review and discuss the information provided; and
2. Adopt the proposed respective Resolutions.

4. a. 2-3

**RESOLUTION NO. 2012-30**

**A RESOLUTION OF THE CITY OF SAN DIMAS APPROVING AN AGREEMENT FOR THE ADVANCE AND REIMBURSEMENT OF EXPENSES FOR CITY STAFF, OFFICE SPACE, EQUIPMENT AND SUPPLIES WITH THE CITY OF SAN DIMAS AS THE SUCCESSOR AGENCY TO THE CITY OF SAN DIMAS REDEVELOPMENT AGENCY**

WHEREAS, effective February 1, 2012 the San Dimas Redevelopment Agency (the "Agency") was terminated by virtue of assembly bill ABX1-26; and

WHEREAS, the City of San Dimas (the "City") has assumed the responsibility as the Successor Agency to the City of San Dimas Redevelopment Agency (the "Successor Agency") to undertake the actions required pursuant to Part 1.85 of the Community Redevelopment Law, including winding down the affairs of the Agency; and

WHEREAS, in connection with the administration and operations of the Successor Agency, the Successor Agency is and will be utilizing the staff, facilities, services and other resources of the City; and

WHEREAS, on May 10, 2012, the Oversight Board of the Successor Agency adopted Resolution No. 007 approving an agreement for the advance and reimbursement of expenses for City staff, office space, equipment and supplies by and between the City and the Successor Agency in the form attached hereto as Exhibit A and incorporated herein by reference.

WHEREAS, contracts or agreements necessary for the administration or operation of the Successor Agency are enforceable obligations.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of San Dimas does hereby approve the attached Exhibit A and authorize its execution.

PASSED, APPROVED, AND ADOPTED this 22<sup>nd</sup> day of May, 2012.

\_\_\_\_\_  
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 May 22, 2012, by the following vote:

AYES:  
NOES:  
ABSENT:  
ABSTAIN:

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Ina Rios, CMC, City Clerk

**AGREEMENT FOR ADVANCE AND REIMBURSEMENT OF ADMINISTRATIVE,  
OVERHEAD AND OTHER EXPENSES BY AND BETWEEN THE CITY OF SAN  
DIMAS AND THE SUCCESSOR AGENCY TO THE CITY OF SAN DIMAS  
REDEVELOPMENT AGENCY**

This Agreement is entered into as of May \_\_, 2012, by and between the City of San Dimas (the City) and the Successor Agency to the City of San Dimas Redevelopment Agency (the Successor Agency).

RECITALS:

WHEREAS: The Successor Agency is required to undertake a number of actions pursuant to Part 1.85 of the Community Redevelopment Law (commencing with Health and Safety Code Section 34170) (Part 1.85), including winding down the affairs of the former San Dimas Redevelopment Agency ("Agency).

WHEREAS: Pursuant to Health and Safety Code Section 34171(d)(1)(F), contracts or agreements necessary for the administration or operation of the Successor Agency are enforceable obligations.

WHEREAS: Pursuant to Health and Safety Code Sections 34178(a) and 34180(h), with the approval of the Oversight Board, the Successor Agency may enter into agreements with the City.

WHEREAS: In connection with the administration and operations of the Successor Agency, the Successor Agency is and will be utilizing the staff, facilities, services and other resources of the City.

WHEREAS: The City Manager of the City serves as Executive Director of the Successor Agency, the City Finance Manager serves as Finance Officer of the Successor Agency, and the City Clerk serves as Secretary to the Successor Agency. City staff devote and are expected to devote substantial time with respect to the administration and operations of the Successor Agency, including gathering information relating to the Agency's enforceable obligations, conferring with public officials representing governmental agencies, and undertaking other activities in connection with winding down the affairs of the Agency.

WHEREAS: By providing and making available to the Successor Agency the staff, facilities, services, and other resources of the City, including office space, equipment, supplies, necessary to the administration and operations of the Successor Agency, the City has advanced and will continue to advance the cost of the foregoing to the Successor Agency.

WHEREAS: The City and the Successor Agency desire to enter into this Agreement to acknowledge the foregoing recitals and to provide for an appropriate method of reimbursement of such advances by the Successor Agency to the City.

NOW, THEREFORE, THE PARTIES DO HEREBY AGREE AS FOLLOWS:

Section 1. The City shall make available to the Successor Agency its staff, facilities, services, and other resources, including, office space, equipment, and supplies, necessary to the administration and operations of the Successor Agency. The Successor Agency shall have access to the foregoing staff, facilities, services, and other resources of the City.

Section 2. The value of the City staff, including all employee retirement and other benefits, facilities, services, and other resources of the City, including, without limitation, office space, equipment and supplies and necessary to the administration and operations of the Successor Agency made, and to be made, available to the Successor Agency for each six-month fiscal period beginning with the fiscal period commencing on January 1, 2012 and ending on June 30, 2012 and continuing every six-month period thereafter until otherwise directed by the City Manager and determined in accordance with Section 3 hereof, shall constitute an advance to the Successor Agency by the City for each six-month fiscal period, to be repaid in accordance with Section 4 of this Agreement.

Section 3. Following the end of each six-month fiscal period, beginning with the fiscal period commencing on January 1, 2012 and ending on June 30, 2012 and continuing every six-month period thereafter until otherwise directed by the City Manager, the City Manager shall prepare and present to the Successor Agency an invoice for; (i) the value of City staff, including all employee retirement and other benefits, based on time records prepared by City staff, which shall describe the time devoted exclusively to matters directly related to the administration and operations of the Successor Agency; (ii) the fair rental value of office space and equipment made available to the Successor Agency; and (iv) the value of supplies, insurance and other services and facilities provided by the City to the Successor Agency.

Section 4. Within a reasonable time after the City submits an invoice to the Successor Agency pursuant to Section 3, the Successor Agency shall pay to the City the amount of the invoice from available funds of the Successor Agency. In the event that insufficient funds are available to the Successor Agency, any unpaid amounts shall be carried over to the next six-month fiscal period.

Section 5. The parties hereto agree to take all appropriate steps and execute any documents which may reasonably be necessary or convenient to implement the intent of this Agreement.

Section 6. Each party shall maintain books and records regarding its duties pursuant to this Agreement. Such books and records shall be available for inspection by the officers and agents of the other party at all reasonable times.

Section 7. This Agreement is made in the State of California under the Constitution and laws of the State of California, and is to be so construed.

Section 8. This Agreement will be become effective upon the later of approval of the Oversight Board to the Successor Agency, the Successor Agency and the City.

Section 9. This Agreement may be amended at any time, and from time to time, by an agreement executed by both parties to this Agreement and approved by the Oversight Board to the Successor Agency.

SUCCESSOR AGENCY TO THE CITY OF SAN DIMAS REDEVELOPMENT AGENCY

By \_\_\_\_\_  
Curtis Morris, Chairman

ATTEST:

\_\_\_\_\_  
Ina Rios, Secretary

CITY OF SAN DIMAS

By \_\_\_\_\_  
Curtis Morris, Mayor

ATTEST:

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

APPROVED:

Oversight Board to the Successor Agency of the City of San Dimas Redevelopment Agency

\_\_\_\_\_  
\_\_\_\_\_, Chair

**AGREEMENT FOR ADVANCE AND REIMBURSEMENT OF ADMINISTRATIVE,  
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DIMAS AND THE SUCCESSOR AGENCY TO THE CITY OF SAN DIMAS  
REDEVELOPMENT AGENCY**

This Agreement is entered into as of May \_\_, 2012, by and between the City of San Dimas (the City) and the Successor Agency to the City of San Dimas Redevelopment Agency (the Successor Agency).

**RECITALS:**

WHEREAS: The Successor Agency is required to undertake a number of actions pursuant to Part 1.85 of the Community Redevelopment Law (commencing with Health and Safety Code Section 34170) (Part 1.85), including winding down the affairs of the former San Dimas Redevelopment Agency ("Agency).

WHEREAS: Pursuant to Health and Safety Code Section 34171(d)(1)(F), contracts or agreements necessary for the administration or operation of the Successor Agency are enforceable obligations.

WHEREAS: Pursuant to Health and Safety Code Sections 34178(a) and 34180(h), with the approval of the Oversight Board, the Successor Agency may enter into agreements with the City.

WHEREAS: In connection with the administration and operations of the Successor Agency, the Successor Agency is and will be utilizing the staff, facilities, services and other resources of the City.

WHEREAS: The City Manager of the City serves as Executive Director of the Successor Agency, the City Finance Manager serves as Finance Officer of the Successor Agency, and the City Clerk serves as Secretary to the Successor Agency. City staff devote and are expected to devote substantial time with respect to the administration and operations of the Successor Agency, including gathering information relating to the Agency's enforceable obligations, conferring with public officials representing governmental agencies, and undertaking other activities in connection with winding down the affairs of the Agency.

WHEREAS: By providing and making available to the Successor Agency the staff, facilities, services, and other resources of the City, including office space, equipment, supplies, necessary to the administration and operations of the Successor Agency, the City has advanced and will continue to advance the cost of the foregoing to the Successor Agency.

WHEREAS: The City and the Successor Agency desire to enter into this Agreement to acknowledge the foregoing recitals and to provide for an appropriate method of reimbursement of such advances by the Successor Agency to the City.

NOW, THEREFORE, THE PARTIES DO HEREBY AGREE AS FOLLOWS:

Section 1. The City shall make available to the Successor Agency its staff, facilities, services, and other resources, including, office space, equipment, and supplies, necessary to the administration and operations of the Successor Agency. The Successor Agency shall have access to the foregoing staff, facilities, services, and other resources of the City.

Section 2. The value of the City staff, including all employee retirement and other benefits, facilities, services, and other resources of the City, including, without limitation, office space, equipment and supplies and necessary to the administration and operations of the Successor Agency made, and to be made, available to the Successor Agency for each six-month fiscal period beginning with the fiscal period commencing on January 1, 2012 and ending on June 30, 2012 and continuing every six-month period thereafter until otherwise directed by the City Manager and determined in accordance with Section 3 hereof, shall constitute an advance to the Successor Agency by the City for each six-month fiscal period, to be repaid in accordance with Section 4 of this Agreement.

Section 3. Following the end of each six-month fiscal period, beginning with the fiscal period commencing on January 1, 2012 and ending on June 30, 2012 and continuing every six-month period thereafter until otherwise directed by the City Manager, the City Manager shall prepare and present to the Successor Agency an invoice for; (i) the value of City staff, including all employee retirement and other benefits, based on time records prepared by City staff, which shall describe the time devoted exclusively to matters directly related to the administration and operations of the Successor Agency; (ii) the fair rental value of office space and equipment made available to the Successor Agency; and (iv) the value of supplies, insurance and other services and facilities provided by the City to the Successor Agency.

Section 4. Within a reasonable time after the City submits an invoice to the Successor Agency pursuant to Section 3, the Successor Agency shall pay to the City the amount of the invoice from available funds of the Successor Agency. In the event that insufficient funds are available to the Successor Agency, any unpaid amounts shall be carried over to the next six-month fiscal period.

Section 5. The parties hereto agree to take all appropriate steps and execute any documents which may reasonably be necessary or convenient to implement the intent of this Agreement.

Section 6. Each party shall maintain books and records regarding its duties pursuant to this Agreement. Such books and records shall be available for inspection by the officers and agents of the other party at all reasonable times.

Section 7. This Agreement is made in the State of California under the Constitution and laws of the State of California, and is to be so construed.

Section 8. This Agreement will be become effective upon the later of approval of the Oversight Board to the Successor Agency, the Successor Agency and the City.

Section 9. This Agreement may be amended at any time, and from time to time, by an agreement executed by both parties to this Agreement and approved by the Oversight Board to the Successor Agency.

SUCCESSOR AGENCY TO THE CITY OF  
SAN DIMAS REDEVELOPMENT AGENCY

By \_\_\_\_\_  
Curtis Morris, Chairman

ATTEST:

\_\_\_\_\_  
Ina Rios, Secretary

CITY OF SAN DIMAS

By \_\_\_\_\_  
Curtis Morris, Mayor

ATTEST:

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

APPROVED:

Oversight Board to the Successor Agency of the City of San Dimas Redevelopment Agency

\_\_\_\_\_  
\_\_\_\_\_, Chair

May \_\_\_\_, 2012

**RESOLUTION NO. 2012-31**

**A RESOLUTION OF THE CITY OF SAN DIMAS AS SUCCESSOR AGENCY TO THE CITY OF SAN DIMAS REDEVELOPMENT AGENCY APPROVING AN AGREEMENT FOR THE ADVANCE AND REIMBURSEMENT OF EXPENSES FOR CITY STAFF, OFFICE SPACE, EQUIPMENT AND SUPPLIES WITH THE CITY OF SAN DIMAS**

WHEREAS, effective February 1, 2012 the San Dimas Redevelopment Agency (the "Agency") was terminated by virtue of assembly bill ABX1-26; and

WHEREAS, the City of San Dimas (the "City") has assumed the responsibility as the Successor Agency to the City of San Dimas Redevelopment Agency (the "Successor Agency") to undertake the actions required pursuant to Part 1.85 of the Community Redevelopment Law, including winding down the affairs of the Agency; and

WHEREAS, in connection with the administration and operations of the Successor Agency, the Successor Agency is and will be utilizing the staff, facilities, services and other resources of the City; and

WHEREAS, on May 10, 2012, the Oversight Board of the Successor Agency adopted Resolution No. 007 approving an agreement for the advance and reimbursement of expenses for City staff, office space, equipment and supplies by and between the City and the Successor Agency in the form attached hereto as Exhibit A and incorporated herein by reference.

WHEREAS, contracts or agreements necessary for the administration or operation of the Successor Agency are enforceable obligations.

NOW, THEREFORE, BE IT RESOLVED that the City of San Dimas as Successor Agency to the City of San Dimas Redevelopment Agency does hereby approve the attached Exhibit A and authorize its execution.

PASSED, APPROVED, AND ADOPTED this 22<sup>nd</sup> day of May, 2012.

\_\_\_\_\_  
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 May 22, 2012, by the following vote:

AYES:  
NOES:  
ABSENT:  
ABSTAIN:

---

Ina Rios, CMC, City Clerk

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SUCCESSOR AGENCY TO THE CITY OF  
SAN DIMAS REDEVELOPMENT AGENCY

By \_\_\_\_\_  
Curtis Morris, Chairman

ATTEST:

\_\_\_\_\_  
Ina Rios, Secretary

CITY OF SAN DIMAS

By \_\_\_\_\_  
Curtis Morris, Mayor

ATTEST:

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

APPROVED:

Oversight Board to the Successor Agency of the City of San Dimas Redevelopment Agency

\_\_\_\_\_  
\_\_\_\_\_, Chair

May \_\_\_\_, 2012



**MINUTES**  
**REGULAR CITY COUNCIL MEETING**  
**TUESDAY, MAY 8, 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 Emmett G. Badar  
Councilmember Denis Bertone  
Councilmember John Ebner  
Councilmember Jeff Templeman

City Manager Blaine Michaelis  
City Attorney Ken 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 7:05 p.m. and led the flag salute.

**2. RECOGNITIONS/PRESENTATIONS**

a. Proclaim May as National Preservation Month

Director of Development Services Coleman provided a Powerpoint presentation and said the goal of historic preservation is helping people protect, enhance, and enjoy places that matter to them. He highlighted "hidden gems" and encouraged people to get out and experience our historic places. Director Coleman thanked the San Dimas Historical Society for installing plaques identifying historical sites in the Downtown area, the docent-led tours of the Walker House, and the San Dimas Museum and Gift Shop in the Walker House. He encouraged citizens to share a story about a place that matters to them by taking a photograph of a favorite historic place while holding the *This Place Matters* sign, and uploading the photograph and story at [www.preservationnation.org/thisplacematters](http://www.preservationnation.org/thisplacematters).

Mayor Morris read a proclamation declaring May as National Preservation Month - the 2012 theme is "Discover America's Hidden Gems" cosponsored by the City of San Dimas and the National Trust for Historic Preservation. He presented the proclamation to David Harbin, San Dimas Historical Society, and said San Dimas has a commitment to the preservation of over 300 historic buildings including the Walker House.

David Harbin accepted the proclamation on behalf of the 300 members and dedicated volunteers of the San Dimas Historical Society. He recited the San Dimas Historical Society's Mission Statement "*We are committed to preserving the history of San Dimas*" and explained their duties in preserving the history of San Dimas for future generations. He announced their new "Patron program" designed to gather community support and funding for special needs such as computers and scanners with full page scanning capabilities for newspapers and other documents. Mr. Harbin thanked donors and expressed gratitude to Mayor Morris, the City Council, and the citizens of San Dimas for over 45 years of support to the Historical Society.

4. b

- b. Presentation of banner to Michael Shane Sumbot, United States Navy, recently discharged from active duty in the Armed Forces.

1) Mayor Morris and representatives of San Dimas H.E.R.O.E.S., Janie Graef and Emily Stillion, presented the military banner that was flown on San Dimas Avenue to father Bill Sumbot and sister Jody Sumbot who accepted on behalf of Michael Shane Sumbot, United States Navy, who was honorably discharged after completing four years of exemplary service. Mayor Morris also presented a City of San Dimas certificate in honor of Michael Shane Sumbot's duty to his country.

On behalf of the San Dimas HEROES, Janie Graef said Michael Shane Sumbot is eligible to have his name engraved in the Veterans Monument.

2) Mayor Morris commended the HEROES volunteers for making it possible for the Clydesdales to come to San Dimas on Friday, May 4<sup>th</sup>. He hoped the event raised needed funds.

### 3. ANNOUNCEMENTS

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

Pui-Ching Ho, Library Manager, invited the community to come to the Organic Gardening Workshop on Wednesday, May 9, 6:00 p.m. to learn how to become a successful organic gardener. On Saturday, May 19, 3:00 p.m. Certified Professional Resumé Writer Janie Graef will present a workshop designed to assist job applicants address Do's and Don'ts of resumé writing. Informative tips and handouts to facilitate resumé preparation will be offered. Questions and Answers will follow the presentation and Ms. Graef will be available for individual consultation on specific questions. On Thursday, May 24, 6:30 p.m. professional Opera Singers from the Los Angeles Opera will present musical moments from great stories. On Sat May 26, 3:00 p.m., come learn tips and tricks from great Chef Marco Zapien in making Mexican cuisine with free food tasting at the end of the program. For more information on any program or activity, contact the San Dimas Library at 909.599.6738.

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) Don Green, 127 Maverick, representing the San Dimas Rodeo, thanked the City Council and volunteers for their service and support throughout the years to ensure a successful rodeo. He said over the past 17 years, the Rodeo provided over 100 scholarships to local students; cash prizes for the western art exhibit; and hosted three blood drives per year.

In response to Mayor Pro Tem Badar, Mr. Green said the rodeo is held the first weekend in October and he will make announcements as it gets closer to the event.

2) Nicole Sacro, San Dimas High School, thanked the City Council and staff for their support on Friday, May 4<sup>th</sup>, at the backwards Student in Government Day at San Dimas High School. She highlighted the School's end-of-year activities including her last concert with the choir; the Prom; Teacher Appreciation Week; San Dimas Rocks in School; fund raising events; renaissance assembly; academic awards and powder puff games.

3) Gary Enderle, 2044 Via Esperanza, said he was happy to bring the Clydesdales to the City. He thanked the City Council, staff, San Dimas Sheriff's and the numerous volunteers who made it happen, and reported that \$5,000 was raised for the Water Feature on the Veterans Memorial remembrance fountain. He said the fountain has been ordered and will take approximately ten weeks to manufacture, however, there are insufficient funds to install the fountain. He said the San Dimas HEROES will be hosting other fundraising events and is looking at three areas that could use some help – electricity, plumbing, and concrete. He asked for experienced volunteers to help get the foundation installed.

#### 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.)

**MOTION:** It was moved by Mayor Pro Tem Badar, seconded by Councilmember Bertone, 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. 2012-27, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN DIMAS, CALIFORNIA, APPROVING CERTAIN DEMANDS FOR THE MONTHS OF APRIL AND MAY, 2012.**

(2) Parcel Map 063238, approving and authorizing recordation of final map for Tract 063238 located at 343 East Foothill Boulevard:

**RESOLUTION NO. 2012-28, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN DIMAS, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, APPROVING THE FINAL MAP FOR TRACT 063238 AND AUTHORIZING ITS RECORDATION.**

b. Approval of minutes for regular meeting of April 24, 2012.

c. Approval of City's Statement of Investment Policy: This investment statement outlines the policies for maximizing the efficiency of the City's cash management system.

END OF CONSENT CALENDAR

6. **OTHER BUSINESS** - None

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 stepped forward to speak.

b. City Manager

1) Comments and update on the 2012-13 annual City Budget.

1) City Manager Michaelis provided an update on the budget process and said a study session was held earlier this date, and another session is scheduled for May 22<sup>nd</sup>. He said staff is finding ways to deal with the dissolution of the redevelopment agency and the loss of related resources. He said he anticipates having a proposed budget before the City Council in June.

2) City Manager Michaelis provided an update and said the Postal Department is under mandate to reduce the cost of postal services nationwide, and is looking to consolidate facilities and sell surplus properties. The delivery operations of the San Dimas Post Office will merge with the La Verne Post Office building, and space in San Dimas will be leased to offer postal services with 24 hour access to mail boxes. The Postal Department will host a community meeting on Monday, May 21, at 5:00 p.m. in the Council Chambers to provide additional information and answer questions.

3) City Manager Michaelis announced that the Mayor's live call-in show will resume on Thursday, May 10<sup>th</sup>, at 7:00 p.m.

c. City Attorney

City Attorney Brown reported that the Olson Company closed escrow last week on the Grove Station property. He said staff has been working diligently with Developer Olson and the Receiver to fine tune documentation regarding the amendments to the Covenants, Conditions and Restrictions and expedite the grading permit process to begin construction on Phase II, starting with 12 of 24 units. He said parties interested in purchasing one of the units can contact city hall for qualification requirements.

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.

There were no comments.

**8. ADJOURNMENT**

Mayor Morris adjourned the meeting at 7:40 p.m. The next meeting is Monday, May 14, 2012, 5:00 p.m. for a City Council/Staff Spring Retreat. The following meeting is 6:00 p.m. May 22, 2012 for a budget study session; and the regular meeting is Tuesday, May 22, 2012, at 7:00 p.m.

Respectfully submitted,

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Ina Rios, CMC, City Clerk



**MINUTES**  
**SPECIAL CITY COUNCIL MEETING**  
**TUESDAY, MAY 8, 2012, 5:00 P. M.**  
**CITY COUNCIL CONFERENCE ROOM**  
**245 E. BONITA AVE.**

**PRESENT:**

Mayor Curtis W. Morris  
Mayor Pro Tem Emmett G. Badar  
Councilmember Denis Bertone  
Councilmember John Ebner  
Councilmember Jeff Templeman  
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  
Senior Engineer Shari Garwick  
Finance Manager Barbara Bishop  
Business License Steven Valdivia  
Public Works Superintendent John Campbell

Chamber of Commerce  
President/CEO Karen Gaffney  
Chairman Mitchell Crawford  
Treasurer Joe Fransen

San Dimas Sheriff's Station  
Captain Don Slawson

**1. CALL TO ORDER**

Mayor Morris called the meeting to order at 5:00 p.m.

**2. ORAL COMMUNICATIONS**

(For anyone wishing to address the City Council on an item 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. Speakers will be subject to a three-minute limit.)

- a. Members of the Audience

None

**3. STUDY SESSION**

- a. Discuss 2012-13 Budget for the City of San Dimas

- 1) San Dimas Chamber of Commerce annual presentation and report

Mitchell Crawford, Chairman, Chamber of Commerce, said that in the past the City Council has provided \$50,000 and office use of the Martin House. He stated that President/CEO Gaffney will review community activities and board members for budget years 2011-12 and direction for 2012-13.

Karen Gaffney, President/CEO, Chamber of Commerce, expressed appreciation for the City Council's continued support and presented a letter of request for continued funding in the amount of \$50,000. President Gaffney highlighted events and services of the past year and the Chamber's proposed activities for fiscal year 2012-13. She explained costs savings realized by having staff perform in-house many tasks that were previously out-sourced.

Councilmember Bertone stated he is a Board Member of the Chamber and will abstain when a vote is taken on funding for the Chamber. He praised Karen Gaffney, Margie Green and Mitchell Crawford who are doing a great job.

2) Review of budget issues and projects – direction from the City Council

City Manager Michaelis explained the goal of the study session and summarized the financial impact of the Redevelopment dissolution process. He said the Oversight Board is now in place to review the former Redevelopment Agency's financial obligations to come up with a recommendation on what could be paid. He listed the appointed Board Members of the Oversight Board that will meet Wednesday, May 9 to be sworn into office, select a Chair and Vice-Chair, and approve bylaws. He said the Oversight Board will be considering two major issues: 1) the Administrative Budget – the City's costs associated with the dissolution of the Redevelopment Agency; 2) approve the City's expense list of outstanding debt and obligations of the Redevelopment Agency for two time periods: January-June 2012 and July-December 2012. Once approved, the documents will be sent to the Department of Finance for review.

In response to Councilmember Bertone, City Manager Michaelis replied that obligations due include city loans made to the Redevelopment Agency and loans to the Walker House; two outstanding bonds due to be paid, however, the housing program is not a part of the dissolution process. He said the administrative budget is \$245,000 to cover the costs associated with staff and attorney fees, however, if there are insufficient funds after entities are paid, reimbursement will not be made and funds for those obligations may have to come from the general fund.

In response to Councilmember Badar, City Manager Michaelis stated that in legislation upheld by the courts, city loans were not recognized, unless issued within the first two years of the project area. He explained how the loans were initially created and evolved to other projects until they were consolidated in 2001 in the amount of \$14.5 million. He said staff is waiting for a legislative remedy or for the state to recognize that this is a significant issue with unintended consequences. He said if adopted, AB 1585 will honor city loans if used for legitimate purposes and permit cities to keep set aside funds for housing projects if spent within two years.

In response to Councilmember Ebner, City Manager Michaelis replied that funds would need to be allocated toward affordable housing projects within the next two-three years.

In response to Councilmember Bertone, City Manager Michaelis stated that Senate President Pro Tem Darrell Steinberg is stalling the bill in anticipation of commandeering the funds to lessen cuts in the State budget.

City Manager Michaelis indicated that the California Supreme Court made the point that the dissolution of redevelopment agencies could raise impairment of contract issues because it would be a violation of Federal and State Constitutions to alter an agreement. He stated that a legal theory is that when a city loan is made to a redevelopment agency pursuant to Health and Safety Code 36000, it constitutes a contract to provide funds and repayment of those funds that cannot be altered by state law.

City Manager Michaelis stated that in January only a portion of redevelopment tax increments were received from the County. The County has taken the position that the City has received all funds due. Mr. Michaelis said that \$1.4 million for the current fiscal year was not received, which created a \$3 million shift in the two fiscal years. He stated that last budget year, he reported that \$900,000 was set aside anticipating the loss of a major sales tax revenue source. Those funds will be expended in the current fiscal year.

In response to Councilmember Templeman, Mr. Michaelis replied that reimbursements for employee services provided for redevelopment and housing are unresolved. However, as of January 31, 2012, \$5.5 million was retained on deposit for the Loma Bonita and Grove Station projects. He added that pursuant to AB1x26, unencumbered reserve funds will be diverted to the County.

In response to the City Council, City Attorney Brown replied that Resolution No. 2012-17 approved the assignment of the agreement from William Fox Homes to, and assumption by, Olson Urban Housing LLC, as opposed to being a new agreement.

In response to Councilmember Templeman, Assistant City Manager Duran replied that of approximately \$8 million set aside in reserves, \$5.5 million is encumbered by the Loma Bonita and Grove Station projects. He said pursuant to AB1x26, unencumbered set aside reserves in the amount of \$2.5 million must be transferred to the County.

City Manager Michaelis stated that there is a need to address the ongoing \$1.4 million general fund loss and make major adjustments. He requested the City Council consider reducing the budget by \$1 million to accomplish those adjustments in fiscal year 2012-13. He will bring back a course of action on those adjustments.

City Manager Michaelis said staff will review proposals for capital improvement programs for the current fiscal year. He requested City Council direction to bring back the \$1 million plan.

In response to Councilmember Templeman, Assistant City Manager Duran explained Funds 2, 12, 73 and 74, and said, with the exception of fund 12, all are restricted funds that can only be spent on street projects. He said that after the audit in October, a surplus of \$1 million was identified and allocated to special funds, which left \$13 million in reserves for the end of fiscal year 2011-12. He said City Manager Michaelis is proposing to use a portion of the reserves and is requesting a \$1 million reduction to make up the difference.

#### **PUBLIC WORKS:**

Director of Public Works Patel summarized major capital improvement programs for fiscal year 2012-13, with estimated costs of \$4.2 million, in addition to \$1 million budgeted annually for sidewalk repairs, streets, curb and gutter, and storm drains.

1) Lone Hill Avenue/Arrow Highway widening, median and signal modification: Director Patel said the City has not received Glendora's fair share contribution to proceed with the improvements, and this project is being deferred to next fiscal year.

2) Lone Hill Avenue Street and Landscaping Median/reconstruction between Arrow Highway and Cienega Avenue: To minimize disturbance on the neighborhood, Director Patel proposed that this project be merged with Lone Hill/Arrow Highway, with construction to begin in the Spring 2013. He said the goal is to close Lone Hill Avenue in each direction for ten working days.

3) Foothill Boulevard Bridge Widening over San Dimas Wash: Director Patel reported that in 2011 the City was awarded a \$2.4 million grant from the Federal government that requires 11.47% matching fund, which is \$274,000. He said the design is underway now and expects environmental approval by end of June. He added that San Dimas Wash is owned and maintained by the County Corps and plans will be submitted for their approval. Staff anticipates the project to commence in summer or fall 2013.

4) Annual Pavement Preservation – Zone A North of 210 Freeway: Director Patel reported that every seven years every street in the city gets slurry sealed. Staff is proposing to continue with the program and include repair of selected streets.

5) Alley Reconstruction, North of Second, Acacia to Cataract; and 6) Alley Design: Director Patel stated that as part of fiscal year 2011-12 budget, alley reconstruction and alley design was placed on hold. Staff is proposing to resurrect the program for the 2012-13 fiscal year.

7) Terrebonne Archway: Director Patel said this project was moved to fiscal year 2012-13. He said that at a previous study session staff presented the City Council with Option 1) to restore the sign for \$35,000; and Option 2) to build a new sign for \$80,000. The City Council selected Option 1 and directed staff to restore the sign. Director Patel stated that staff is facing challenges in finding a fabricator to restore the 65-foot long sign.

8) Decorative Street Light-3<sup>rd</sup> Street, San Dimas to Walnut: Director Patel is proposing the program in Fund 7 for two blocks at one time for a cost of \$120,000.

9) Sewer Master Plan Study: Director Patel stated that as part of the ongoing program, staff is proposing to complete the Sewer Master Plan.

Director Patel stated that in addition to the capital improvement project list, Public Works has applied for three grant programs funding. If all three are awarded, the following projects will be added to the Capital Improvement Program:

1) San Dimas Avenue Bike Lane Improvements n/o Avenida Domingo: Grant is \$90,000 with 10% matching fund.

2) San Dimas Canyon/Foothill Boulevard Left Turn Signal Phasing: Intersection is shared with the County – they are on board to pay fair share of 25% .

3) Foothill Boulevard Bridge Widening over San Dimas Wash: Grant is approximately \$2.4 million with 10% matching. Staff is applying to use other matching dollars from Bike money in amount of \$204,000, reducing contribution to \$31,000.

Director Patel responded to Council's specific questions regarding repairs that were completed approximately three years ago on San Dimas Avenue from the 57 underpass to Via Vaquero; Via Verde from Puente to San Dimas Avenue is proposed for slurry and restriping; and design on Cienega Washboard is programmed in 2014.

#### **PARKS AND RECREATION:**

Director of Parks and Recreation Bruns summarized Capital Improvement Project Recommendations for Fiscal Year 2012-13 as follows:

1) Fund 20 – Community Parks & Facilities Development Fund:

Director Bruns is requesting \$78,000 for improvements to Ladera Serra Park Recreation Building and Senior Citizen/Community Center. \$5,000 was budgeted for Ladera Serra Park; The contractor bid came in at \$4,000, however, he is not available until the end of July so that project was carried forward. The Senior Citizens/Community Center completed 20 years of use and needs replacement carpeting and linoleum, as well as refinishing of stage and baseboards. Estimated costs are \$73,000.

In response to Councilmember Templeman, Director Bruns replied that Formica is a good value for the cost. She stated that the Center had previously undergone ADA refurbishment, adding sidewalks in front, signage, energy upgrade efficiency study, and staff will be looking at exterior painting in the future.

Freedom Park: Director Bruns said \$2,500 is being proposed to install a park bench and a trash receptacle at the park.

Director Bruns stated that five parks in the city have aging playground equipment 22-23 years old. She said that over a period of time, maintenance corrections and ADA adjustments were made to bring equipment into compliance. However, staff has been on notice the past three years that the current system is obsolete and no longer manufactured.

Via Verde Park:

In response to Councilmember Bertone, Director Bruns replied that playground equipment at Via Verde Park was replaced in 1989 and staff is asking to look at one or two parks as equipment parts break or wear out.

In response to Councilmember Templeman, Director Bruns replied that equipment would be replaced with a comparable design.

Director Bruns stated that the walking path at Via Verde Park gets a lot of use and sections need to be cut out, leveled, replaced, and repainted.

In response to Mayor Pro Tem Badar, Director Bruns replied that cost estimates are \$160,000 for playground equipment replacement and resurfacing on two play areas at Via Verde Park.

In response to Councilmember Ebner, Director Bruns replied that over the last 23 years, there are a lot of options with playground equipment available. She will bring back a selection for Council consideration before the purchase of any equipment.

2) Fund 21 is the North/West District Park Development Fund and funds are available through Quimby or Park Development fees.

Swim & Racquet Club: Director Bruns stated that the Swim & Racquet Club falls in this District and staff is looking at the annual racquet ball court maintenance and heater tub bundle on the competition pool. She mentioned that the City Council directed staff to look at sign replacement and \$50,000 has been budgeted for a marquee sign.

In response to Mayor Pro Tem Badar, Director Bruns said there is a whole continuum of possibilities with signage that will be considered when the design is completed and reviewed. She stated that visibility will be considered for signage for the Performing Arts Center and staff will work through that analysis as well as ADA issues for pools and spa.

In response to Council, Director Bruns replied that a portable lift does not meet the Code. She said two lifts are required; one in the training pool and one in the spa. She said the ruling from the Department of Justice is expected in September. Lifts are inexpensive, however, the installation is expensive.

Lone Hill Park: Director Bruns stated that Lone Hill Park is located in the West District and is a candidate for equipment replacement at a cost of \$160,000.

In response to Mayor Morris, Director Bruns stated that a small tractor was purchased to aerify the parks by staff in-house on a regular basis.

In response to Councilmember Ebner, Director Bruns stated that there are insufficient funds available for a restroom at Marchant Park. The Fund for that District currently has \$91,000. Councilmember Ebner asked that tax increments be saved for future installation of those restrooms.

City Manager Michaelis stated that once the Loma Bonita Apartments are built, Quimby fees should generate enough fees to construct restrooms at Marchant Park. Director Bruns stated that Grove Station is in that District and fees were deferred on their project.

Councilmember Ebner inquired about plans for landscaping along Foothill Blvd along Birchnell and Sierra View and the side medians. He suggested a Japanese Maple.

In response to Councilmember Ebner, Director Bruns replied that the oleanders are being cut back and removed as the plants die. She said a full landscape plan including demolishing and replacing the existing plants with select trees and shrubs will cost approximately \$80,000. She said there is no existing irrigation system and the neighborhood likes screening.

Director Bruns stated that drought tolerant replacement was done on San Dimas Canyon Road, Gladstone and San Dimas Avenue. Lone Hill Park is next on the list.

Councilmember Ebner requested that Little League's request for lights be included in the Budget to be discussed on May 22<sup>nd</sup>.

Director Bruns stated she submitted her list of priorities and the cost to install field lights is approximately \$300,000. She said priority is a matter of perspective - a park restroom is available to everyone in the community, while a baseball field is available to 300 kids.

City Manager Michaelis stated that the budget will be presented to the City Council in June for adoption. He said at the next budget meeting, staff will highlight expenses and revenues, and ask for direction on the \$1 million plan.

In response to the City Council, City Manager Michaelis replied that reserves will be used during the process, however, restructuring the organization may be necessary. He stated that it is staff's obligation to move the city forward for decades to come and to look at revenue enhancements to replace funds lost during this process. He mentioned that 55% of cities have utility users tax, collect an average of 10% in transient occupancy taxes, and collect higher Landscape Lighting District fees per parcel. He said parks, roads, and streets are very important to the well-being of this community and he felt it was a reasonable approach to consider increasing those fees. He added that the State cannot take the Utility Users Tax or Transient Occupancy Tax.

1) In response to Gil Gonzalez, City Manager Michaelis replied that the legislation that allows refinancing of loans is pending at the Senate level. Staff is not considering that at this time.

#### **4. ADJOURNMENT**

Mayor Morris adjourned the meeting at 6:53 p.m. The next meeting is May 8, 2012, 7:00 p.m.

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 May 22, 2012*

**From:** Blaine Michaelis, City Manager

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

**Subject:** Approval of the Youth Employment Plan for Grant No. 58H9-07-2111, Horsethief Canyon Park Multi-Use Trail System, Poison Oak Trail and Hilltop Picnic Area

Summary

Staff is currently preparing final documents for grant funds available for the completion of the Poison Oak Trail, Grant No. 58H9-07-2111, and Council approval of the Youth Employment Plan is required.

BACKGROUND

On November 3, 1992 and on November 5, 1996 the voters of Los Angeles County enacted Los Angeles County Proposition A for Safe Neighborhood Parks, Gang Prevention, Tree-Planting, Senior and Youth Recreation, Beach and Wildlife Protection.

In 2006, The Los Angeles County Regional Park and Open Space District offered the Competitive Trails Grant Program for the Fifth Supervisorial District. The City of San Dimas was awarded a grant for \$118,000 for the continuation of the Horsethief Canyon Park Multi-Use Trail System, Poison Oak trail. This trail provides a connection between the Sycamore Creek Trail and the Horsethief Canyon Park Face Trail. In addition to trail improvements, the project also included enhancements such as directional signs, benches and picnic tables at the hilltop area, hitching posts and planting.

The Safe Neighborhood Parks Proposition of 1996 includes a Youth Employment component for each project funded by the proposition, and under the provisions of the Los Angeles County Regional Park and Open Space District policy on employment of at-risk youth, the Youth Employment Goal (YEG) for the City of San Dimas is \$175,547.10. That total represents ten percent of the total city development project funding from Propositions A of 1992 and 1996. To date, the City has received credit for \$246,179.50 in youth labor wages paid and has exceeded its Proposition A At-Risk Youth Employment obligation.

Because the city had previously satisfied the youth employment requirement, and based on the nature of the trail improvement project and the requirement for skilled labor, the City of San Dimas did not employ youth for this project.

RECOMMENDATION

Staff recommends approval of the Youth Employment Plan for Grant No. 58H9-07-2111, Horsethief Canyon Park Multi-Use Trail System, Poison Oak Trail and Hilltop Picnic Area.

Attachment: Youth Employment Plan for Grant No. 58H9-07-2111, Horsethief Canyon Park Multi-Use Trail System, Poison Oak Trail and Hilltop Picnic Area

*4.C*

**City of San Dimas**  
**Horsethief Canyon Park Multi-Use Trail System**  
**Poison Oak Trail & Hilltop Picnic Area**  
**Grant No. 58H9-07-2111**  
**YOUTH EMPLOYMENT PLAN**

**Background:**

The Safe Neighborhood Parks Proposition of 1996 through Supervisor Michael D. Antonovich's Office provided \$118,000.00 in Proposition A Fifth District Excess Funds to the City of San Dimas for the project.

The project consists of widening and clearing of the Poison Oak Trail and construction of a hilltop picnic area including installation of picnic tables, benches, hitching posts and the planting of trees.

**Tasks that may be performed by at-risk youth:**

**None.**

**Estimated Cost of Youth Employment**

Total estimated hours of youth employment on the project: **None.**

Estimated cost per hour: **None.**

Total estimated cost of youth employment: **None.**

**Method of Youth Employment:**

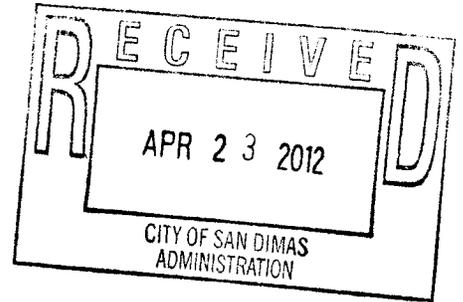
Due to the nature of the project and requirement of skilled labor, the City of San Dimas will not employ local youth (Ages 14-24) on the project.

**Youth Employment Goal**

Under the provisions of the Los Angeles County Regional Park and Open Space District policy on employment of at-risk youth, the Proposition A Youth Employment Goal (YEG) for the City of San Dimas is \$175,547.10 (equal to ten percent of the total city development project funding from Propositions A of 1992 and 1996). To date, the City has received credit for employing at-risk youth totaling \$246,179.50 in youth labor wages paid and has satisfied its Proposition A At-Risk Youth Employment obligation.



**CARL WARREN & COMPANY**  
Claims Management and Solutions



April 20, 2012

TO: The City of San Dimas

ATTENTION: Ken Duran, Assistant City Manager

RE: Claim : McKinn vs. The City of San Dimas  
 Claimant : Richard McKinn  
 D/Event : 2/12/2012  
 Rec'd Y/Office : 4/18/2012  
 Our File : S-1733834-RQ

We have received and reviewed the above claim and request that you take the action indicated below:

**CLAIM REJECTION: Send a standard rejection letter to the claimant.**

Please provide us with a copy of the notice sent, as requested above. If you have any questions please contact the undersigned.

Very truly yours,

CARL WARREN & COMPANY



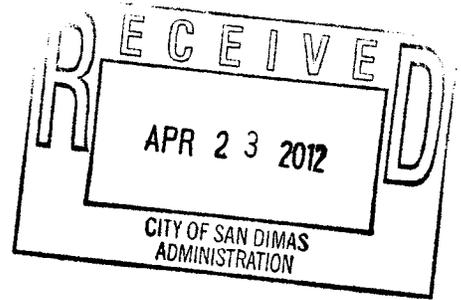
Richard D. Marque

cc: CJPIA w/enc.  
Attn.: Executive Director

4.d-e



**CARL WARREN & COMPANY**  
Claims Management and Solutions



April 20, 2012

TO: The City of San Dimas

ATTENTION: Ken Duran, Assistant City Manager

RE: Claim : Breceda vs. The City of San Dimas  
 Claimant : Ralph Breceda  
 D/Event : 2/12/2012  
 Rec'd Y/Office : 4/18/2012  
 Our File : S-1733834-RQ

We have received and reviewed the above claim and request that you take the action indicated below:

**CLAIM REJECTION: Send a standard rejection letter to the claimant.**

Please provide us with a copy of the notice sent, as requested above. If you have any questions please contact the undersigned.

Very truly yours,

CARL WARREN & COMPANY

Richard D. Marque

cc: CJPIA w/enc.  
Attn.: Executive Director

AN EMPLOYEE-OWNED COMPANY

770 S. Placentia Avenue | Placentia, CA 92870

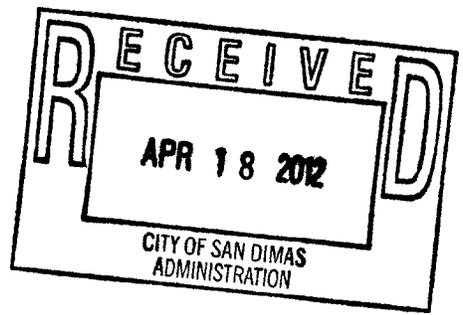
P. O. Box 28180 | Santa Ana, CA 92709-5180

www.carlwarren.com | Tel. 714-872-5200 | 800-872-8800 | Fax. 951-264-4123

CA License No. 3687290

ORIGINAL

1 MARK R. HADDON (State Bar No. 186480)  
2 Law Offices of Mark R. Haddon  
3 3841 Emerald Avenue  
4 La Verne, California 91750  
5 Telephone (909) 593-9263  
6 Facsimile (909) 593-9134



7 Attorneys for CLAIMANTS  
8 RICHARD MCKINN AND RALPH BRECEDA

9 NOTICE OF CLAIM  
10 AGAINST A PUBLIC ENTITY  
11 CITY OF SAN DIMAS

12 RICHARD MCKINN; RALPH BRECEDA

Case No. Unassigned

13 Claimants,

NOTICE OF CLAIM AGAINST  
A PUBLIC ENTITY

14 vs.

15 CITY OF SAN DIMAS,

16 Respondent.

17  
18  
19 COMES NOW THE CLAIMANTS, RICHARD MCKINN AND RALPH BRECEDA,  
20 AND HEREBY GIVE NOTICE TO ALL PARTIES AND TO THEIR RESPECTIVE  
21 ATTORNEY(S) OF RECORD AND/OR REPRESENTATIVES:

22 Please be advised that, Richard McKinn and Ralph Breceda, give notice of claim and/or  
23 anticipated lawsuit pursuant to California Government Code Section 910 et seq.

24 A. The name and address of claimant's attorney is:  
25 Law Offices of Mark R. Haddon, 3841 Emerald Avenue, La Verne, California 91750.

26 B. DATE, PLACE AND OTHER CIRCUMSTANCES OF CLAIM:

27 On or about February 12, 2012, and continuing daily thereafter, the City of San Dimas  
28 (hereinafter referred to as ("City")), through its officers, directors, agents, employees and/or

1 representatives exposed, and continue to expose Claimants to an unsafe and hostile work  
2 environment.

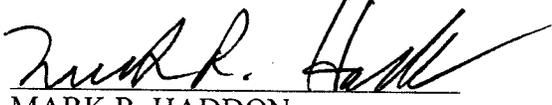
3 As a direct and proximate result of the exposure to an unsafe and hostile work  
4 environment, Claimants' damages include, but are not limited to, the following:

- 5 a. Loss of wages;
- 6 c. Loss of Claimant's medical benefits;
- 6 d. Loss of Claimant's vacation benefits;
- 7 e. Loss of Claimant's sick pay;
- 7 f. Damage to Claimant's retirement accounts;
- 8 g. Damage to Claimant's reputation; and
- 8 h. Emotional distress.

9 At the time of the presentation of this Notice of Claim, damages are incalculable and are  
10 ongoing. However, said damages are in an amount exceeding the minimum jurisdictional  
11 requirements of the Orange County Superior Court.

12 Date: April 3, 2012

Law Offices of Mark R. Haddon

13  
14 By:   
15 MARK R. HADDON  
16 Attorneys for CLAIMANTS  
17 RICHARD MCKINN AND RALPH BRECEDA  
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1 I am employed in the City of La Verne, and County of Los Angeles, California. I am over  
2 age of 18 and not a party to the within action. My business address is 3841 Emerald Avenue, La  
3 Verne, California 91750.

4 On April 16, 2012, I served the foregoing document(s) described as on the interested  
5 parties in this action as follows:

6 \*\*\*\*\*  
7 **NOTICE OF CLAIM AGAINST PUBLIC ENTITY – CITY OF SAN DIMAS**  
8 \*\*\*\*\*

9 XXX **BY MAIL:** I deposited such envelope(s) in the mail at La Verne, California. The  
10 envelope was mailed with postage thereon fully prepaid.

11 **BY HAND:** I delivered such envelope by hand to the offices of the addressee(s)  
12 as set forth above.

13 **BY FAX:** a copy of the above-described document(s) was sent VIA  
14 TELECOPIER to each of the individuals set forth above.

15 **BY OVERNIGHT MAIL:** by depositing the above-described document(s) with  
16 Federal Express Corporation on the same day that it is placed for collection and  
17 processing, in the ordinary course of business.

18 **BY PERSONAL DELIVERY:** by causing personal delivery of the document(s)  
19 listed above to the person(s) at the address(es) set forth below.

20 **BY E-MAIL:**

21 I am readily familiar with the firm's practice of collection and processing of  
22 correspondence for mailing. This practice is as follows: In the ordinary course of business, items  
23 to be mailed are collected and deposited with the U.S. postal service on that same day with  
24 postage thereon fully prepaid at La Verne, California. The aforementioned envelope was placed  
25 for collection and mailing on said practice. I am aware that on motion of the party served,  
26 service is presumed invalid if postal cancellation date or postage meter date is more than one day  
27 after date of deposit for mailing affidavit.

28 Executed this 16th day of April, 2012, at La Verne, California.

I declare under penalty of perjury under the laws of the State of California that the above is true  
and correct.

Mark R. Haddon  
Type or Print Name

Signature

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SERVICE LIST  
MCKINEE, ET AL. V. SAN DIMAS  
SUPERIOR COURT FOR THE STATE OF CALIFORNIA,  
COUNTY OF LOS ANGELES  
Case No. Unassigned

City Hall of the City of San Dimas  
Claims Department  
245 East Bonita Avenue  
San Dimas, CA 91773



# Agenda Item Staff Report

**To:** Honorable Mayor and Members of the City Council  
*For the meeting of May 22, 2012*

**From:** Blaine Michaelis, City Manager

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

**Subject:** Public Hearing regarding Open Space Maintenance District No. 1 (Tract 32818, Boulevard) and the Adoption of Resolution No. 2012-32

Summary

Conduct a Public Hearing and consider adopting Resolution No. 2012-32, confirming the assessment for fiscal year 2012-2013 for Open Space Maintenance District No. 1 (Tract No. 32818, Boulevard).

BACKGROUND

On April 10, 2012 the City Council adopted Resolution No. 2012-19 approving the Engineer's Report and declaring its intention to levy and collect an assessment for fiscal year 2012-2013 for Open Space Maintenance District No. 1 (Tract No. 32818 - Boulevard) and set a Public Hearing for May 22, 2012.

The Engineer's Report was prepared with the scope of work to include general landscape maintenance, water, and electricity. No increase is proposed in the Assessment rate. The 2011-12 assessment rate was \$525.75 per parcel and the rate proposed for 2012-13 will remain at \$525.75 per parcel.

A notice of the public hearing was published and mailed to each property owner within the district.

RECOMMENDATION

Staff recommends that the City Council conduct a public hearing on the proposed assessment rate for Open Space Maintenance District No. 1 (Tract No. 32818, Boulevard). At the conclusion of the public hearing the City Council may adopt Resolution 2012-32 confirming the diagram and assessment for fiscal year 2012-2013 for Open Space Maintenance District No. 1 (Tract 32818, Boulevard).

Attachments:

- Resolution No. 2012-32
- 2012-2013 Engineer's Report for Boulevard Open Space Maintenance District

5. a. 1

RESOLUTION NO. 2012-32

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN DIMAS,  
COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, CONFIRMING THE DIAGRAM  
AND ASSESSMENT FOR FISCAL YEAR 2012-2013 FOR OPEN SPACE DISTRICT NO. 1  
(TRACT NO. 32818-BOULEVARD)

WHEREAS, the City Council of the City of San Dimas, County of Los Angeles, State of California, formed Landscape Maintenance District No. 1, pursuant to the Landscaping and Lighting Act of 1972, by adopting Resolution No. 77-57; and

WHEREAS, by Resolution No. 2012-19, adopted on April 10, 2012, the City Council approved the Engineer's Report which indicates the amount of the proposed assessments for the fiscal year 2012-2013, the district boundary, the assessment zones, and detailed description of improvements; and

WHEREAS, in said Resolution No. 2012-19, City Council did declare its intention to levy and collect an assessment within Open Space District 1, for fiscal year 2012-2013, and fixed the 22<sup>nd</sup> day of May, 2012, at 7:00 p.m., as the date and time, and the San Dimas Council Chamber as the place for hearing any objections to the levy of the proposed assessment; and

WHEREAS, notice of said hearing has been posted and published in accordance with law; and

WHEREAS, the said City Council has held said hearing, has afforded all interested persons the opportunity to hear and be heard, and has considered all oral statements and all written protests made or filed by any interested person.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SAN DIMAS AS FOLLOWS:

1. The assessments, as shown in the Engineer's Report, a copy of which is attached hereto, are approved, and the adoption of this resolution constitutes the levy of said assessments for the 2012-2013 fiscal year.
2. The City Clerk of the City of San Dimas is hereby authorized and directed to file a certified copy of the diagram and assessments with the County Auditor of the County of Los Angeles no later than the 1<sup>st</sup> day of August, 2012.
3. The City Council hereby orders the annual maintenance program work as set forth in said resolution of intention to be done.

APPROVED AND ADOPTED this 22nd day of May 2012.

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MAYOR

ATTEST:

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CITY CLERK

I HEREBY CERTIFY that the foregoing Resolution No. 2012-32 was adopted by vote of the City Council of the City of San Dimas at its regular meeting of May 22, 2012 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

---

CITY CLERK

CITY OF SAN DIMAS  
OPEN SPACE MAINTENANCE DISTRICT NO. 1  
(TRACT 32818, BOULEVARD DEVELOPMENT)

**ENGINEER'S REPORT  
FISCAL YEAR 2012-2013**

SECTION 1. AUTHORITY FOR REPORT

This report is prepared pursuant to the order of the City Council of the City of San Dimas, and in compliance with the requirements of Article 4, Chapter 1, Landscaping and Lighting Act of 1972, and Article XIII D of the California Constitution.

SECTION 2. THE IMPROVEMENTS

The improvements consist of an irrigation system and landscaping within Lot 20 of Tract No. 32818, which was required to be installed by the developer and accepted for maintenance by the City. The plans and specifications for the landscaping are in conformance with the requirements of the conditions of approval of said Tract No. 32818, and City Standards. Reference is hereby made to the said plans and specifications for the exact location and nature of the landscape improvements. Said plans and specifications by reference are hereby made a part of this report, and are on file in the office of the City Engineer.

SECTION 3. DIAGRAM FOR THE ASSESSMENT DISTRICT

A copy of the assessment diagram is on file in the office of the City Engineer.

SECTION 4. ESTIMATE OF COSTS OF THE IMPROVEMENTS

The cost of the initial landscaping of Lot 20 of Tract 32818 was borne by the subdivider; therefore, all assessments relate to maintenance only.

Direct Maintenance Costs:

General Maintenance (by Contract)	\$	3,860
Utilities - Electrical	\$	275
Utilities - Water	\$	3,600
Irrigation Repair	\$	-
Total of Direct Maintenance Costs	\$	7,735

CURRENT ASSESSMENT:	\$	9,989	(\$525.75/parcel)
2012-13 ANNUAL ASSESSMENT:	\$	9,989	(\$525.75/parcel)

2012-13 Fund Balance \$2,254

Prior Fund Balance (\$5,874)  
Ending Fund Balance (\$3,620)

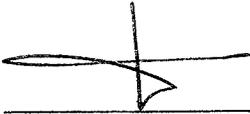
The City has funded an unrealized balance over time based upon the approval of an annual adjustment to reflect changes in the Consumer Price Index to eventually recuperate this balance over time, and to then begin to develop a fund balance for future extraordinary expenses.

SECTION 5. ASSESSMENT

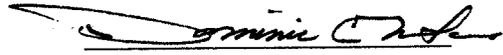
The following information regarding assessments to individual lots for the 2012-2013 Fiscal Year is contained herein and is to be levied on July 1, 2012. The net amount estimated to be assessed upon the assessable lands within the district is \$9,989 which is apportioned to all assessable lots shown on the attached Assessment Roll.

The landscape district was developed for the benefit and enjoyment of all properties included within the assessment district boundaries, and all parcels benefit equally from the improvements.

Respectfully submitted,



\_\_\_\_\_  
KRISHNA PATEL  
DIRECTOR OF PUBLIC WORKS



\_\_\_\_\_  
DOMINIC C. MILANO P.E.  
CITY ENGINEER  
C27172



**CITY OF SAN DIMAS ASSESSMENT ROLL FOR  
OPEN SPACE MAINTENANCE DISTRICT NO. 1  
Boulevard**

ADDRESS	TRACT 32818, LOT NO.	ASSESSOR'S REFERENCE	2011-2012 ASSESSMENT
1204 Via Verde	4	8448-021-027	525.75
1228 Via Verde	7	8448-021-032	525.75
1236 Via Verde	8	8448-021-033	525.75
1244 Via Verde	9	8448-021-034	525.75
1252 Via Verde	10	8448-021-035	525.75
1260 Via Verde	11	8448-021-036	525.75
1306 Via Verde	12	8448-021-037	525.75
1318 Via Verde	13	8448-021-038	525.75
1322 Via Verde	14	8448-021-039	525.75
1330 Via Verde	15	8448-021-040	525.75
1338 Via Verde	16	8448-021-041	525.75
1346 Via Verde	17	8448-021-042	525.75
1354 Via Verde	18	8448-021-043	525.75
1362 Via Verde	19	8448-021-044	525.75
1219 Paseo Dorado	1	8448-021-046	525.75
1203 Paseo Dorado	3	8448-021-047	525.75
1220 Via Verde	6	8448-021-048	525.75
1211 Paseo Dorado	2	8448-021-049	525.75
1212 Via Verde	5	8448-021-050	525.75
			9989.25



# Agenda Item Staff Report

**To:** Honorable Mayor and Members of the City Council  
*For the meeting of May 22, 2012*

**From:** Blaine Michaelis, City Manager

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

**Subject:** Public Hearing regarding Open Space Maintenance District No. 1, Annexation No. 3 (Tract 32841, Northwoods) and the Adoption of Resolution No. 2012-33

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## Summary

Conduct a Public Hearing and consider adopting Resolution No. 2012-33, confirming the assessment for fiscal year 2012-2013 for Open Space Maintenance District No. 1, Annexation No. 3 (Tract 32841, Northwoods).

## BACKGROUND

On April 10, 2012 the City Council adopted Resolution No. 2012-20 approving the Engineer's Report and declaring its intention to levy and collect an assessment for fiscal year 2012-2013 for Open Space Maintenance District No.1, Annexation No.3 (Tract 32841, Northwoods) and set a Public Hearing for May 22, 2012.

The Engineer's Report was prepared with the scope of work to include general landscape maintenance, water, and electricity. No increase is proposed in the Assessment rate. The 2011-12 assessment rate was \$898.42 per parcel and the rate proposed for 2012-13 will remain at \$898.42 per parcel.

A notice of the public hearing was published and mailed to each property owner within the district.

## RECOMMENDATION

Staff recommends that the City Council conduct a public hearing on the proposed assessment rate for Open Space Maintenance District No.1, Annexation No.3 (Tract 32841, Northwoods). At the conclusion of the Public Hearing the City Council may adopt Resolution No. 2012-33 confirming the diagram and assessment for fiscal year 2012-2013 for Open Space Maintenance District No.1, Annexation No.3 (Tract 32841, Northwoods).

## Attachments:

- Resolution No. 2012-33
- 2012-2013 Engineer's Report for Northwoods Open Space Maintenance District

S.A.2

RESOLUTION NO. 2012-33

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN DIMAS, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, CONFIRMING THE DIAGRAM AND ASSESSMENT FOR FISCAL YEAR 2012-2013 FOR OPEN SPACE MAINTENANCE DISTRICT NO. 1, ANNEXATION NO. 3 (TRACT NO. 32841-NORTHWOODS)

WHEREAS, the City Council of the City of San Dimas, County of Los Angeles, State of California, formed Open Space Maintenance District No. 1, Annexation No. 3, pursuant to the terms and provisions of the Landscaping and Lighting Act of 1972, by adopting Resolution No. 78-38; and

WHEREAS, by Resolution No. 2012-20, adopted on April 10, 2012, the City Council approved the Engineer's Report which indicates the amount of the proposed assessment for the fiscal year 2012-2013, the district boundary, the assessment zones, and detailed description of improvements; and

WHEREAS, in said Resolution No. 2012-20, City Council did declare its intention to levy and collect assessments within Open Space Maintenance District No. 1, Annexation No. 3 for fiscal year 2012-2013, and fixed the 22<sup>nd</sup> day of May, 2012, at 7:00 p.m., as the date and time, and the San Dimas Council Chamber as the place for hearing any objections to the levy of the proposed assessment; and

WHEREAS, notice of said hearing has been posted and published in accordance with law; and

WHEREAS, the said City Council has held said hearing, has afforded all interested persons the opportunity to hear and be heard, and has considered all oral statements and all written protests made or filed by any interested person.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SAN DIMAS AS FOLLOWS:

1. The assessments, as shown in the Engineer's Report, a copy of which is attached hereto, are approved, and the adoption of this resolution constitutes the levy of said assessments for the 2012-2013 fiscal year.
2. The City Clerk of the City of San Dimas is hereby authorized and directed to file a certified copy of the diagram and assessments with the County Auditor of the County of Los Angeles no later than the 1<sup>st</sup> day of August, 2012.
3. The City Council hereby orders the annual maintenance program work as set forth in said resolution of intention to be done.

APPROVED AND ADOPTED this 22<sup>nd</sup> day of May 2012.

---

MAYOR

ATTEST:

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CITY CLERK

Resolution No. 2012-33  
Page 2

I HEREBY CERTIFY that the foregoing Resolution No. 2012-33 was adopted by vote of the City Council of the City of San Dimas at its regular meeting of May 22, 2012 by the following vote:

AYES:  
NOES:  
ABSENT:  
ABSTAIN:

---

CITY CLERK

CITY OF SAN DIMAS  
OPEN SPACE MAINTENANCE DISTRICT NO.1, ANNEXATION NO. 3  
(TRACT 32841, NORTHWOODS DEVELOPMENT)

**ENGINEER'S REPORT  
FISCAL YEAR 2012-2013**

SECTION 1 AUTHORITY FOR REPORT

This report is prepared pursuant to the order of the City Council of the City of San Dimas, and in compliance with the requirements of Article 4, Chapter 1, Landscaping and Lighting Act of 1972, and Article XIII D of the California Constitution.

SECTION 2 THE IMPROVEMENTS

The improvements consist of an irrigation system and landscaping of easements within Tract No. 32841, which was required to be installed by the developer and accepted for maintenance by the City. The plans and specifications for the landscaping are in conformance with the requirements of the conditions of approval of said Tract No. 32841, and City Standards. Reference is hereby made to the said plans and specifications for the exact location and nature of the landscape improvements. Said plans and specifications by reference are hereby made a part of this report, and are on file in the office of the City Engineer.

SECTION 3 DIAGRAM FOR THE ASSESSMENT DISTRICT

A copy of the assessment diagram is on file in the office of the City Engineer.

SECTION 4 ESTIMATE OF COSTS OF THE IMPROVEMENTS

The cost of the initial landscaping of Tract 32841 was borne by the subdivider; therefore, all assessments relate to maintenance only.

Direct Maintenance Costs:

General Maintenance (by Contract)	\$15,400
Utilities – Electrical	\$ 880
Utilities – Water	\$13,500
New Planting	\$ 0
Irrigation Repairs or Upgrades	\$ 4,360
 Total of Direct Maintenance Costs:	 \$34,140

CURRENT ASSESSMENT:	\$34,140 (\$898.42/parcel)
2012-13 ANNUAL ASSESSMENT:	\$34,140 (\$898.42/parcel)

SECTION 5 ASSESSMENT

The following information regarding assessments to individual lots for the 2012-2013 Fiscal Year is contained herein and is to be levied on July 1, 2012. The net amount estimated to be assessed upon the assessable lands within the district is \$34,140, which is apportioned to all assessable lots shown on the attached Assessment Roll.

The landscape district was developed for the benefit and enjoyment of all properties included within the assessment district boundaries, and all parcels benefit equally from the improvements.

Respectfully submitted,

  
\_\_\_\_\_  
KRISHNA PATEL  
DIRECTOR OF PUBLIC WORKS

  
\_\_\_\_\_  
DOMINIC C. MILANO P.E.  
CITY ENGINEER  
C27172

OPEN SPACE MAINTENANCE DISTRICT NO. 1, ANNEXATION NO. 3  
 (TRACT 32841, NORTHWOODS DEVELOPMENT)



<b>CITY OF SAN DIMAS ASSESSMENT ROLL FOR</b>			
<b>OPEN SPACE MAINTENANCE DISTRICT NO. 1, ANNEXATION No. 3</b>			
<b>Northwoods</b>			
<b>ADDRESS</b>	<b>TRACT 32841, LOT NO.</b>	<b>ASSESSOR'S REFERENCE</b>	<b>2011-2012 ASSESSMENT</b>
1793 Calle Alto	1	8395-023-002	898.42
1789 Calle Alto	2	8395-023-003	898.42
1785 Calle Alto	3	8395-023-004	898.42
1781 Calle Alto	4	8395-023-005	898.42
1777 Calle Alto	5	8395-023-006	898.42
1773 Calle Alto	6	8395-023-007	898.42
1767 Calle Alto	7	8395-023-008	898.42
1765 Calle Alto	8	8395-023-009	898.42
1761 Calle Alto	9	8395-023-010	898.42
1757 Calle Alto	10	8395-023-011	898.42
1753 Calle Alto	11	8395-023-012	898.42
1749 Calle Alto	12	8395-023-013	898.42
1745 Calle Alto	13	8395-023-014	898.42
1741 Calle Alto	14	8395-023-015	898.42
1737 Calle Alto	15	8395-023-016	898.42
1733 Calle Alto	16	8395-023-017	898.42
1729 Calle Alto	17	8395-023-018	898.42
1725 Calle Alto	18	8395-023-019	898.42
1721 Calle Alto	19	8395-023-020	898.42
1719 Calle Alto	20	8395-023-021	898.42
1702 Calle Alto	21	8395-023-022	898.42
1706 Calle Alto	22	8395-023-023	898.42
1710 Calle Alto	23	8395-023-024	898.42
1714 Calle Alto	24	8395-023-025	898.42
1718 Calle Alto	25	8395-023-026	898.42
1722 Calle Alto	26	8395-023-027	898.42
1726 Calle Alto	27	8395-023-028	898.42
1730 Calle Alto	28	8395-023-029	898.42
1121 Paseo Sandi	29	8395-023-030	898.42
1113 Paseo Sandi	30	8395-023-031	898.42
1105 Paseo Sandi	21	8395-023-032	898.42
1102 Paseo Sandi	32	8395-023-033	898.42
1110 Paseo Sandi	33	8395-023-034	898.42
1118 Paseo Sandi	34	8395-023-035	898.42
1780 Calle Alto	35	8395-023-036	898.42
1784 Calle Alto	36	8395-023-037	898.42
1788 Calle Alto	37	8395-023-038	898.42
1792 Calle Alto	38	8395-023-039	898.42
			<b>34,139.96</b>



# Agenda Item Staff Report

**TO:** Honorable Mayor and Members of City Council  
*For the Meeting of May 24, 2012*

**FROM:** Blaine Michaelis, City Manager

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

**SUBJECT:** Adoption of Resolution No. 2012-34  
City Wide Landscape Parcel Tax for Fiscal Year 2012-13

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## **SUMMARY**

Ordinance No. 1086 requires that the voter approved City Wide Landscape Parcel Tax shall be set annually by the City Council following a public hearing. Resolution 2012-34 is presented for Council consideration and review.

## **BACKGROUND**

In November 1997 the voters of the City of San Dimas by a 71% affirmative vote, approved Ordinance No. 1086 adopting a special parcel tax to be levied against properties in the city. The revenues collected from the tax are exclusively used to improve and maintain landscaping and trees in parkways, parks and other public areas.

Ordinance No. 1086 requires that commencing with FY 1999–2000; the special tax shall be set annually by the City Council following a public hearing. The rate of the tax was established by Ordinance No. 1086 but can be adjusted annually to reflect changes in the Consumer Price Index.

### **Options**

Staff would like Council to review two options for the rate of the tax.

**Option 1** - Maintains the landscape parcel tax at the same rate without adjustment for FY 2012-13

**Option 2** - Adjusts the tax by increasing the rate to reflect the change in the Consumer Price Index of 2% for March 2012.

5.6.1

<u>Property Classification</u>	<u>Option 1</u> <u>Amount of Tax</u>	<u>Option 2</u> <u>Amount of Tax</u>
Single Family Residential	\$53.50	\$54.57
Commercial/Industrial, per front foot	\$1.61	\$1.64
Non-Profit/Tax Exempt Parcels, per front foot	\$0.34	\$0.35
Multi-Family Residential, per unit	\$39.18	\$39.96
Mobile home Parks, per front foot	\$1.25	\$1.27

Option 1: The current estimated revenue for Option 1 is \$760,000. The amount is based on the revised budget estimate for the FY 2011-12 and is based upon the current estimated actual receipts.

Option 2: The revenue estimate is \$775,200, an increase of \$15,200.

Assessment revenue is reflected in Fund 8 of the City's budget. The only other revenue in Fund 8 is a reimbursement from BUSD for a share of the Sportsplex maintenance costs. Total revenue in Fund 8 for FY 2012-13 with the increase in the tax is \$792,800. The total estimated expenditures for FY 2012-2013 are \$849,750. The expenditures will exceed annual revenues even with the increase. There is a fund balance that will absorb the additional expenditures.

Staff would like the City Council to review options for the City Wide Landscape Parcel Tax rates for FY 2012–2013. Even with the increased rate the parcel tax collections do not cover the total cost for landscape maintenance. The additional cost is borne by the general fund.

Concluding the Public Hearing the City Council may adopt Resolution 2012-34 maintaining the landscape parcel tax at the same rate as FY 2011–2012 or with the 2% Cost of Living adjustment.

### **RECOMMENDATION**

Staffs recommendation is to adopt Resolution 2011– 34 setting the special City Wide Landscape Parcel Tax for FY 2012 – 2013 with the CPI increase, Option 2.

**RESOLUTION NO. 2012-34**  
(Option 1)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN DIMAS, COUNTY OF  
LOS ANGELES, STATE OF CALIFORNIA, SETTING THE SPECIAL CITY WIDE PARCEL  
TAX FOR FISCAL YEAR 2012-2013 TO BE USED FOR LANDSCAPE MAINTENANCE  
PURPOSE

WHEREAS, at the November 1997 City election, the voters of the City of San Dimas approved Ordinance No. 1086 adopting a special parcel tax to be levied against the properties in the City, with the revenues to be used to improve and maintain parkway trees, landscaping, public parks and other public areas;

WHEREAS, Ordinance No. 1086 requires that commencing with fiscal year 1999-2000, the special tax shall be set annually by the San Dimas City Council following a public hearing; and

WHEREAS, the public hearing to set the annual special tax has been properly noticed for the City Council meeting of May 22, 2012; and

WHEREAS, the public hearing was held and testimony received, if any at the May 22, 2012 City Council meeting; and

WHEREAS, the City Council desires to levy the special parcel tax at the same rates for fiscal year 2011-2012.

NOW, THEREFORE, the City Council of the City of San Dimas does hereby resolve as follows:

For fiscal year 2012-2013 the following special parcel tax shall be levied against property in the City of San Dimas:

<b>PROPERTY CLASSIFICATION</b>	<b>AMOUNT OF TAX</b>
Single Family Residential	\$53.50
Commercial/ Industrial, per front foot	\$1.61
Non-Profit/Tax Exempt Parcels, per front foot	\$ .34
Multi-Family Residential, per unit	\$39.18
Mobil Home Parks, per front foot	\$1.25

APPROVED AND ADOPTED this 22<sup>TH</sup> day of May 2012.

\_\_\_\_\_  
Mayor

ATTEST:

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City Clerk

I HEREBY CERTIFY that the forgoing Resolution No. 2012-34 was adopted by vote of the City Council of the City of San Dimas at its regular meeting of May 22, 2012 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

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City Clerk

**RESOLUTION NO. 2012-34**  
(Option 2)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN DIMAS, COUNTY OF  
LOS ANGELES, STATE OF CALIFORNIA, SETTING THE SPECIAL CITY WIDE PARCEL  
TAX FOR FISCAL YEAR 2012-2013 TO BE USED FOR LANDSCAPE MAINTENANCE  
PURPOSE

WHEREAS, at the November 1997 City election, the voters of the City of San Dimas approved Ordinance No. 1086 adopting a special parcel tax to be levied against the properties in the City, with the revenues to be used to improve and maintain parkway trees, landscaping, public parks and other public areas;

WHEREAS, Ordinance No. 1086 requires that commencing with fiscal year 1999-2000, the special tax shall be set annually by the San Dimas City Council following a public hearing; and

WHEREAS, the public hearing to set the annual special tax has been properly noticed for the City Council meeting of May 22, 2012; and

WHEREAS, the public hearing was held and testimony received, if any at the May 22, 2012 City Council meeting; and

WHEREAS, the City Council desires to increase the rate of the special parcel tax at the Consumer Price Index rate of 2% for fiscal year 2012-2013 as authorized by the provisions of Ordinance No. 1086.

NOW, THEREFORE, the City Council of the City of San Dimas does hereby resolve as follows:

For fiscal year 2012-2013 the following special parcel tax shall be levied against property in the City of San Dimas:

<b>PROPERTY CLASSIFICATION</b>	<b>AMOUNT OF TAX</b>
Single Family Residential	\$54.57
Commercial/ Industrial, per front foot	\$1.64
Non-Profit/Tax Exempt Parcels, per front foot	\$ .35
Multi-Family Residential, per unit	\$39.96
Mobil Home Parks, per front foot	\$1.27

APPROVED AND ADOPTED this 22<sup>TH</sup> day of May 2012.

\_\_\_\_\_  
Mayor

**ATTEST:**

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**City Clerk**

**I HEREBY CERTIFY that the forgoing Resolution No. 2012-34 was adopted by vote of the City Council of the City of San Dimas at its regular meeting of May 22, 2012 by the following vote:**

**AYES:**

**NOES:**

**ABSENT:**

**ABSTAIN:**

---

**City Clerk**



# Agenda Item Staff Report

**TO:** Honorable Mayor and Members of City Council  
For the meeting of *May 22, 2012*

**FROM:** Blaine Michaelis, City Manager

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

**SUBJECT:** Increase to Business License Fees

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## **SUMMARY**

*Ordinance No. 956, provides that basic business license fees may be increased by an amount equal to the increase in the Consumer Price Index of the period extending from April 1<sup>st</sup> of the previous year through March 31<sup>st</sup> of the current year. At the May 22, 2012 City Council Special Session, the Council agreed to consider an increase to Business License Fees. Per the request of the City Council, Resolution 2012-35 is presented for Council consideration and review.*

## **BACKGROUND**

The current business license fees were established by Ordinance No. 956 adopted in 1991. The ordinance established the fees for the various categories of business licenses and built in automatic increases up through 1993. The ordinance then allowed for an annual increase in business license fees in the amount of the annual Consumer Price Index (CPI) beginning the 1994. The fees were adjusted by CPI in 1991, but were not adjusted from 1995-2002. They were adjusted the pasted four years.

Ordinance No. 956 provides the basic business license fees may be increased by an amount equal to the increase in the Consumer Price Index of the period extending from April 1<sup>st</sup> of the previous year through March 31<sup>st</sup> of the current year. The Consumer Price Index for the period of April 1, 2011 to March 31, 2012 was 2%.

Staff would like Council to review the two options for the business license fees:

**Options 1** maintain the business license fees at the same rate without adjustment for fiscal year 2012-2013.

**Options 2** would adjust the fees by increasing the rate to reflect the change of the Consumer Price Index of 2%, April 1, 2011 to March 31, 2012.

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May 22, 2012

Consideration of Business License Fee Increase

Exhibit "A" reflects Current, or Option 1, and Proposed, Option 2. Business License Fees

Staff would like City Council to review the Options for the Business License Fees for fiscal year 2012-2013. The total net increase in revenue to the city if the license is increased would be approximately \$7,700. Staff recommends Option 2, to increase the business license fees by the 2% CPI as permitted by Ordinance 956. The most commonly utilized business license fee category is C03 General Business with employees. The base fee would increase from \$118.80 to \$121.20 and the per employee fee would increase from \$8.70 to \$8.90.

If City Council concurs with the staff recommendation, they should adopt resolution 2012-35 setting the business license fee rates for fiscal year 2012-2013 with the 2% CPI increase.

**RESOLUTION NO. 2012-35**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN DIMAS,  
COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, SETTING THE CITY BUSINESS  
LICENSE FEES RATES FOR FISCAL YEAR 2012-2013**

WHEREAS, Section A of the San Dimas Municipal Code Section 5.24.060 relating to business license fees provides that basic fees may be increased by an amount equal to the increase in the Consumer Price Index for the period extending from April 1<sup>st</sup> of the previous year through March 31<sup>st</sup> of the current year; and

WHEREAS, the Consumer Price Index for the period of April 1, 2011 to March 31, 2012 was 2%;

WHEREAS, the City Council of the City of San Dimas did review the rate options for business license fees;

NOW, THEREFORE, the City Council of the City of San Dimas does hereby resolve as follows:

SECTION 1. For fiscal year 2012-2013 the City of San Dimas hereby adopts the following fee schedule, adjusted to reflect the 2% Consumer Price Index from April 1, 2011 to March 31, 2012, as shown in the following exhibit:

A. Exhibit "A" Proposed Business License Fee Rates

APPROVED AND ADOPTED this 22<sup>nd</sup> day of May 2012.

\_\_\_\_\_  
MAYOR

ATTEST:

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

I HEREBY CERTIFY that the foregoing Resolution No. 12-35 was adopted by vote of the City Council of the City of San Dimas at its regular meeting of May 22, 2012 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

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

City of San Dimas  
Business License Fee Comparison  
Current and Proposed Rates

EXHIBIT A

Rate	Description		OPTION 1	OPTION 2
			Current 2011-2012 Fees	Proposed Increase @ 2% CPI 2012- 2013 Fees*
C01	Billiard & Pool Hall	for 1st table	\$ 86.00	\$87.80
		for each additional table	\$ 10.60	\$10.90
C02	Bowling Alley	for 1st 5 lanes	\$ 118.80	\$121.20
		for each additional lane over 5	\$ 17.40	\$17.80
C03	Business with employees	business fee	\$ 118.80	\$121.20
		per employee or partner	\$ 8.70	\$8.90
C04	Apartment & Business Rentals	business fee	\$ 118.80	\$121.20
		for each unit over 2	\$ 10.60	\$10.90
C05	Mini Storage	for each 100 sq ft of storage space	\$ 2.10	\$2.20
C06	Hotels, Motels, Hospitals, and Retirement Care Homes	business fee	\$ 79.30	\$80.90
		for each bed	\$ 8.00	\$8.20
C07	Movie Filming	per day	\$ 330.80	\$337.50
C08	Recreational Vehicle Park	per space	\$ 8.10	\$8.30
C09	Solicitors	principal solicitor	\$ 197.90	\$201.90
		each additional solicitor permit	\$ 131.90	\$134.60
C10	Mobile Home Park	per space	\$ 10.00	\$10.20
C11	RV Parking Space at Storage Lots	per space	\$ 5.40	\$5.60
C12	Deliveries	per vehicle	\$ 98.90	\$100.90
C13	Rubbish, Waste, Garage Collection	not permitted unless license is in effect	\$ -	\$0.00
C14	Non-Profit Public Marketplace	per space	\$ 51.40	\$52.50
C15	Communication Sites	business fee	\$ 118.80	\$121.20
	cell towers, antenna sites, pay phones	per site or unit	\$ 8.70	\$8.90
F01	Contractors	flat fee	\$ 125.40	\$128.00
F02	Bar & Lounge	flat fee	\$ 237.40	\$242.20
F03	Dance Hall	flat fee	\$ 237.40	\$242.20
F04	Theatres	flat fee	\$ 263.80	\$269.10
F05	Home Occupation	flat fee	\$ 118.80	\$121.20
F06	Exempt or Non-Profit	flat fee	\$ 1.20	\$1.30
F07	Consignment businesses	flat fee	\$ 263.80	\$269.10
F08	Entertainment	flat fee	\$ 19.40	\$19.80

\* Rounding to the nearest "nickel"

City of San Dimas  
Business License Fee Comparison  
Current and Proposed Rates

EXHIBIT A

Rate	Description		OPTION 1	OPTION 2
			Current 2011-2012 Fees	Proposed Increase @ 2% CPI 2012- 2013 Fees*
F09	Secondhand Dealer	flat fee	\$ 131.90	\$134.60
F10	Special Permit Fee	flat fee	\$ 19.40	\$19.80
G01	Gross Receipts	\$0-\$15,999	\$ 79.40	\$81.00
		\$16,000-\$30,999	\$ 92.50	\$94.40
		\$31,000-\$50,999	\$ 105.70	\$107.90
		\$51,000-\$75,999	\$ 118.80	\$121.20
		\$76,000-\$100,999	\$ 132.00	\$134.70
		\$101,000-\$200,999	\$ 145.20	\$148.20
		\$201,000-\$300,999	\$ 158.40	\$161.60
		\$301,000-\$400,999	\$ 171.50	\$175.00
		\$401,000-\$500,999	\$ 184.70	\$188.40
		\$501,000-\$600,999	\$ 197.90	\$201.90

\* Rounding to the nearest "nickel"



# Agenda Item Staff Report

**TO:** Honorable Mayor and Members of City Council  
*For the Meeting of May 22, 2012*

**FROM:** Blaine Michaelis, City Manager

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

**SUBJECT:** Resolution setting the amount of the Public Access Fee for Fiscal Year 2012-13

## **BACKGROUND**

In September 2006, the Digital Infrastructure and Video Competition Act of 2006 (DIVCA) law went in to effect which allowed video service providers to obtain a state issued franchise to provide video services in a local community. DIVCA establishes the California Public Utilities Commission (CPUC) as the sole franchising authority for video service providers' state wide; however it delegated certain limited rights to local authorities. Those rights needed to be established by a local ordinance to be enforceable on state video franchise holders. In October 2008 the City Council adopted Ordinance 1183 establishing San Dimas rights under DIVCA.

Among other things DIVCA allowed the city to adopt an up to 1% PEG fee to be paid by all video subscribers to fund public access. The fee requires customers to pay up to 1% of the cable portion of their bill. The fee can only be used for capital expenses associated with public access and not operating expenses, such as personnel. The fee is only imposed on video subscribers who have the PEG channel available to them. Residents who do not subscribe to Verizon or Time Warner and therefore, do not have the channel available to them are not impacted by the fee.

The 1% public access fee was adopted by the City Council and became effective in 2009. The enabling Ordinance requires the City Council to set the amount of the fee annually. The Council has the option of imposing the full 1%, something less than 1% or not imposing the fee in any given year. It is estimated that a 1% fee would generate approximately \$70,000 in FY 2012-13

The City currently has a contract with the University of La Verne for the management of the City's public access channel. The current annual contract expires in December of 2012. This includes expenses for personnel costs, rent, equipment and supplies. All of these expenses with the exception of the personnel costs are eligible for use of the public access fee. In addition, funds

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collected from the fee were used for the costs associated with the relocation of the public access equipment during the city hall remodel and were used to move the equipment back to the remodeled city hall and purchase of new equipment.

### **RECOMMENDATION**

The City will be incurring ongoing expenses for the management and operation of the City's public access channel as well as the need to replace aging equipment. Therefore, staff recommends that the City Council approve the public access fee in the amount of 1% for fiscal year 2012-2013 by adoption of Resolution 2012-36.

**RESOLUTION NO. 2012-36**

**A RESOLUTION OF THE CITY COUNCIL OF THE  
CITY OF SAN DIMAS, CALIFORNIA, SETTING THE PUBLIC ACCESS FEE FOR  
FISCAL YEAR 2012-2013 TO BE USED FOR PEG PURPOSES**

WHEREAS, the City Council approved Ordinance No. 1183 adding Section 5.60.380 to the San Dimas Municipal Code establishing franchise and PEG fees and customer service penalties for state franchise holders providing video service within the City of San Dimas, and

WHEREAS, Ordinance No. 1183 states that for any state video franchise holder operating within the boundaries of the City of San Dimas, there shall be a fee paid to the City equal to up to one percent of the gross revenue of the state video franchise holder, which fee shall be used by the City for PEG purposes consistent with state or federal law, and

WHEREAS, Ordinance No. 1183 requires the percentage amount of the fee to be set annually by the City Council, and

NOW, THEREFORE, THE City Council of the City of San Dimas does hereby resolve that for Fiscal Year 2012-2013 the percentage amount of the PEG fee shall be 1%.

PASSED, APPROVED AND ADOPTED THIS 22nd DAY OF MAY, 2012.

\_\_\_\_\_  
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 the vote of the City Council of the City of San Dimas at its regular meeting of May 22, 2012, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

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