



AGENDA
REGULAR CITY COUNCIL /
SUCCESSOR AGENCY MEETING
TUESDAY, MARCH 26, 2013, 7:00 P. M.
CITY COUNCIL CHAMBERS
245 E. BONITA AVE.

RECEPTION FOR NEWLY ELECTED MAYOR AND CITY COUNCILMEMBER
6:30 P.M. CITY HALL LOBBY

CITY COUNCIL:

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

1. CALL TO ORDER

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

a. Members of the Audience

3. POST ELECTION PROCEDURES

- a. Adoption of **Resolution No. 2013-19**, Declaring the results of the March 5, 2013 General Municipal Election.
- b. Oath of Office.
- c. Appointment of Mayor Pro Tem.
- d. City Council/Commission/Committee/Board Assignments.
- e. Remarks from Mayor and Councilmembers.

4. CONSENT CALENDAR

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

- a. Resolutions read by title, further reading waived, passage and adoption recommended as follows:
- (1) **RESOLUTION NO. 2013-20**, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN DIMAS APPROVING CERTAIN DEMANDS FOR THE MONTHS OF FEBRUARY AND MARCH, 2013.
- b. Approval of a Budget Appropriation for a Professional Services Agreement for HVAC System Design for the Senior Citizen/Community Center.

END OF CONSENT CALENDAR

5. OTHER MATTERS

- a. Update regarding the Clean Water Clean Beaches Parcel Tax Update – Clean Water Clean Beaches Parcel Tax. Consider taking the following position regarding storm water compliance ... ‘The process and program to secure public support for the funding of storm water compliance costs has been delayed. Therefore, the Cities and the County of Los Angeles request that we operate under the prior storm water quality permit requirements until an adequate funding source to meet the requirements of the new MS4 permit is confirmed.’

6. ORAL COMMUNICATIONS

- a. Members of the Audience (Speakers are limited to five (5) minutes or as may be determined by the Chair.)
- b. City Manager
 - (1) Possible meeting dates for the Council/Staff Spring Retreat
 - Monday, April 29
 - Tuesday, April 30
 - Saturday, May 4
- c. City Attorney
- d. Members of the City Council
 - 1) Reappoint Roger Therien and Fred Ortiz to Public Safety Commission and approval to fill one vacancy
 - 2) Councilmembers' report on meetings attended at the expense of the local agency
 - 3) Individual Members' comments and updates

7. ADJOURNMENT

The next meeting will be a 5:30 p.m. Study Session on Tuesday, April 9, 2013, followed by the Regular City Council meeting at 7:00 p.m.

AGENDA STAFF REPORTS: COPIES OF STAFF REPORTS AND/OR OTHER WRITTEN DOCUMENTATION PERTAINING TO THE ITEMS ON THE AGENDA ARE ON FILE IN THE OFFICE OF THE CITY CLERK AND ARE AVAILABLE FOR PUBLIC INSPECTION DURING THE HOURS OF 8:00 A.M. TO 5:00 P.M. MONDAY THROUGH FRIDAY. INFORMATION MAY BE OBTAINED BY CALLING (909) 394-6216. CITY COUNCIL MINUTES AND AGENDAS ARE ALSO AVAILABLE ON THE CITY'S HOME PAGE ON THE INTERNET: <http://city.ofsandimas.com>

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 DURING NORMAL BUSINESS HOURS. [PRIVILEGED AND CONFIDENTIAL DOCUMENTS EXEMPTED]

POSTING STATEMENT: ON March 22, 2013, 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); VONS SHOPPING CENTER (Puente/Via Verde) AND THE CITY'S WEBSITE AT www.cityofsandimas.com/minutes.cfm.



Agenda Item Staff Report

To: Honorable Mayor and Members of City Council
For the meeting of March 26, 2013

From: Blaine Michaelis, City Manager

Initiated by: Debra Black, Deputy City Clerk

Subject: Certifying results of the General Municipal Election

SUMMARY

The City's General Municipal Election was conducted on Tuesday, March 5, 2013 to fill three seats on the City Council – the directly elected Mayor's seat and two Councilmember seats. Also on the ballot this election was the consideration of Measure A.

After the title is read, staff recommends adoption of Resolution No 2013- 19 certifying the results of the election.

Staff recommendation:
Adopt Resolution No 2013-19

RESOLUTION NO. 2013-19

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
SAN DIMAS, CALIFORNIA, RECITING THE FACT OF THE
GENERAL MUNICIPAL ELECTION HELD ON MARCH 5, 2013
DECLARING THE RESULT AND SUCH OTHER MATTERS
AS PROVIDED BY LAW**

WHEREAS, a Municipal Election was held and conducted in the City of San Dimas, California, on Tuesday, March 5, 2013 as required by law; and

WHEREAS, notice of the election was given in time, form and manner as provided by law; that voting precincts were properly established; that election officers were appointed and that in all respects the election was held and conducted and the votes were cast, received and canvassed and the returns made and declared in time, form and manner as required by the provisions of the Elections Code of the State of California for the holding of elections in general law cities; and

WHEREAS, the City Clerk canvassed the returns of the election and has certified the results to this City Council, the results are received, attached and made a part hereof as "Exhibit A."

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

SECTION 1. That the whole number of ballots cast in the precincts except absent voter ballots was 1,037.

That the whole number of absent voter ballots cast in the City was 1,795, making a total of 2,832 ballots cast in the City.

SECTION 2. That the names of persons voted for at the election for Mayor are as follows:

Curtis W. Morris

SECTION 3. That the names of persons voted for at the election for Member of the City Council are as follows:

Jeff Templeman
Denis Bertone
Piet Van Gaalen

SECTION 4. That the number of votes given at each precinct and the number of votes given in the City to each of the persons above named for the respective offices for which the persons were candidates were as listed in Exhibit "A" attached.

SECTION 5. The City Council does declare and determine that: Curtis W. Morris was elected as Mayor for the full term of two (2) years; Jeff Templeman was elected as Member of the City Council for the full term of four (4) years; and Denis Bertone was elected as Member of the City Council for the full term of four (4) years.

SECTION 6. The City Clerk shall enter on the records of the City Council of the City a statement of the result of the election, showing: (1) The whole number of ballots cast in the City; (2) The names of the persons voted for; (3) For what office each person was voted for; (4) The number of votes given at each precinct to each person; (5) The total number of votes given to each person.

SECTION 7. That the City Clerk shall immediately make and deliver to each of the persons so elected a Certificate of Election signed by the City Clerk and authenticated; that the City Clerk shall also administer to each person elected the Oath of Office prescribed in the Constitution of the State of California and shall have them subscribe to it and file it in the office of the City Clerk. Each and all of the persons so elected shall then be inducted into the respective office to which they have been elected.

SECTION 8. That City Clerk shall certify to the passage and adoption of this Resolution and enter it in to the book of original Resolutions.

PASSED, APPROVED AND ADOPTED THIS 26th day of March, 2013.

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

ATTEST:

Debra Black, Deputy City Clerk

I HEREBY CERTIFY that the foregoing Resolution No. 2013-19 was adopted by vote of the City Council of the City of San Dimas at its regular meeting of March 26th, 2013, by the following vote:

AYES: Councilmembers Badar, Bertone, Ebner, Templeman, Morris
NOES: None
ABSENT: None
ABSTAIN: None

Debra Black, Deputy City Clerk

**CITY OF SAN DIMAS
MARCH 5, 2013 GENERAL MUNICIPAL ELECTION**

I, Debra Black, Deputy City Clerk of the City of San Dimas, authorized by Resolution No. 12-56, adopted by the City Council on October 9, 2012, do certify that I have canvassed the returns of the General Municipal Election held on March 5, 2013, and find that the number of votes given at each precinct and the number of votes given in the City to persons voted for, the respective offices for which the persons were candidates were as follows:

| PRECINCT | CANDIDATE FOR MAYOR | MEASURE | | CANDIDATES FOR CITY COUNCIL | | | | | TOTAL ELIGIBLE | TOTAL TURNOUT | TURN OUT % |
|----------|---------------------------------------------------------------------------------|------------|-----|-----------------------------|----------------|----------------|----|------|----------------|---------------|------------|
| | | "A" Yes/No | | DENIS BERTONE | JEFF TEMPLEMAN | PIET VAN GALEN | | | | | |
| 1 | BUSD, Board Room 115 W. Allen Ave. Vote by Mail/Provisional | 88 | 54 | 46 | 63 | 78 | 36 | 1963 | 118 | 6.0 | |
| | | 117 | 69 | 71 | 113 | 112 | 12 | | 146 | | |
| 2 | Park San Dimas Apartments 265 W. Foothill Blvd. Vote by Mail/Provisional | 81 | 56 | 41 | 77 | 68 | 21 | 1445 | 100 | 6.9 | |
| | | 111 | 78 | 56 | 106 | 107 | 21 | | 137 | | |
| 3 | Ladera Serra Park 975 Calle Serra Vote by Mail/Provisional | 98 | 69 | 31 | 88 | 88 | 13 | 1802 | 112 | 6.2 | |
| | | 141 | 104 | 64 | 127 | 134 | 3 | | 172 | | |
| 4 | Foothill Vineyard Church 100 E. Foothill Blvd. Vote by Mail/Provisional | 45 | 30 | 25 | 40 | 40 | 9 | 1588 | 58 | 3.6 | |
| | | 101 | 71 | 44 | 81 | 88 | 10 | | 118 | | |
| 5 | Marchant Park 425 E. Juanita Avenue Vote by Mail/Provisional | 108 | 57 | 56 | 80 | 91 | 30 | 1874 | 123 | 6.5 | |
| | | 139 | 85 | 68 | 110 | 124 | 16 | | 162 | | |
| 8 | Charter Oak Mobile Home Park 801 W. Covina Blvd. Vote by Mail/Provisional | 54 | 37 | 28 | 41 | 39 | 21 | 1900 | 713.7 | | |
| | | 125 | 87 | 45 | 110 | 109 | 5 | | 137 | | |
| 10 | San Dimas Sheriff's Station 270 So. Walnut Ave. Vote by Mail/Provisional | 51 | 31 | 29 | 44 | 41 | 14 | 1778 | 62 | 3.4 | |
| | | 91 | 61 | 50 | 74 | 81 | 9 | | 114 | | |
| 11 | Lone Hill Middle School 700 S. Lone Hill Avenue Vote by Mail/Provisional | 74 | 38 | 48 | 66 | 61 | 15 | 2354 | 92 | 3.9 | |
| | | 165 | 96 | 78 | 156 | 145 | 6 | | 186 | | |
| 12 | Frank G. Bonelli Park 120 Via Verde | 83 | 52 | 44 | 80 | 75 | 5 | 2189 | 97 | 4.4 | |

| Office/Candidate | Machine Tally | Manual Tally | Difference | If discrepancy – how resolved. |
|--------------------------------------------------------|---------------|--------------|------------|--------------------------------|
| 15 San Dimas Community Church, 216 N. San Dimas Avenue | 196 | 168 | 6 | |
| Vote by Mail/Provisional | 79 | 64 | 37 | 1966 |
| Vote by Mail/Provisional | 101 | 85 | 10 | 114 |
| 16 Christ's Church of the Valley 801 Covina Blvd. | 41 | 32 | 8 | 1264 |
| Vote by Mail/Provisional | 105 | 103 | 4 | 47 |
| Century 21/Cirrus Realty | 44 | 42 | 6 | 121 |
| Vote by Mail/Provisional | 135 | 126 | 0 | 53 |
| | | | | 162 |
| TOTAL | 2373 | 2076 | 297 | 21570 |
| | | | | 2832 |
| | | | | 13.1 |

I have also conducted a manual tally of Precinct No. 10 in accordance with Section 15360 of the Election Code. The results of the manual tally are as follows:

| Office/Candidate | Machine Tally | Manual Tally | Difference | If discrepancy – how resolved. |
|----------------------|---------------|--------------|------------|--------------------------------|
| MAYOR: | | | | |
| Curtis Morris | 51 | 51 | 1 | Bent Ballot |
| | | | | N/A |
| CITY COUNCIL: | | | | |
| Denis Bertone | 44 | 44 | 0 | N/A |
| Jeff Templeman | 41 | 41 | 0 | N/A |
| Piet Van Gaalen | 14 | 12 | 3 | Blue ink/write-in twice |
| | | | | |
| MEASURE: | | | | |
| Yes | 31 | 31 | 0 | |
| No | 29 | 29 | 1 | Bent Ballot |

Debra Black, Deputy City Clerk
Dated March 26, 2013



Agenda Item Staff Report

To: Honorable Mayor and Members of City Council
For the meeting of March 26, 2013

From: Blaine Michaelis, City Manager

Initiated by: Debra Black, Deputy City Clerk

Subject: City Council Reorganization

SUMMARY

The City Council customarily considers adjustments to the various commission and board representation assignments of its members after the completion of an election. Additionally, the Mayor Pro Tem position is determined.

Staff has provided a listing of the current representation assignments for reference in the discussion and appointment decision process.

Staff recommendations, Council's pleasure.

Attachment:
City Council/Commission/Committee Assignments



**CITY COUNCIL/COMMISSION
COMMITTEE/BOARD ASSIGNMENTS**

CALIFORNIA CONTRACT CITIES ASSOCIATION

8119 Somerset Blvd.
Paramount, CA 90723

562-633-9555

Delegate: Mayor Morris
Alternate: All Councilmembers
Meeting Date: 3rd Wednesday of the month; Social hr. 6 p.m.; Dinner Meeting-7 p.m.
Location: Varies according to host city.

LEAGUE OF CALIFORNIA CITIES BOARD OF DIRECTORS

602 E. Huntington Dr.
Monrovia 91016

626-305-1315

Delegate: Councilmember Badar
Alternate: Councilmember Bertone, Mayor Pro Tem Templeman
Meeting Date: Board-4th Wednesday of the month; 7 p.m.
Location: same

General Membership

Meeting Date: 1st Thursday of the month; 7 p.m. Dinner/Meeting at 7:30 p.m.
Location: Stevens Steakhouse
5332 Stevens Pl
City of Commerce

L. A. COUNTY-CITY SELECTION COMMITTEE

(Piggyback with League of California Cities)

Delegate: Mayor Morris (automatic delegate)

SOUTHERN CALIFORNIA ASSOCIATION OF GOVERNMENTS – General Assembly*

818 W. Seventh Street 12th Flr 213 236-1800
Los Angeles, CA 90017-3435 FAX 213 236-1825

Delegate: Councilmember Bertone
Alternate: Councilmember Ebner
Meeting Date: 1st Thursday of the month; 12 p.m.
Location: same

L. A. COUNTY-SANITATION DISTRICT BOARD

1955 Workman Mill Rd. 562 699-7411
Whittier 90601 FAX 562 695-2897

Delegate: Mayor Morris (automatic delegate)
Alternate: Councilmember Bertone
Meeting Date: 4th Wednesday of the month; 1:30 p.m.
Location: same

CALIFORNIA JOINT POWERS INSURANCE AUTHORITY

8081 Moody Street 562 467-8700
La Palma 90623-2045 FAX 562 860-4992
Rep. Allan Amico email: allan@cjpia.org 562 467-8720
DIR FAX 562 402-8692

Delegate: Mayor Morris
Alternate: City Manager Blaine Michaelis
Meeting Date: 4th Wednesday of the month; 6:30 p.m.
Location: same

POMONA VALLEY TRANSPORTATION AUTHORITY

2120 Foothill Blvd
La Verne 91750 909 596-7664
Secretary: Delal

Delegate: Councilmember Emmett Badar
Alternate: Asst. City Manager, Ken Duran, City Mgr. Blaine Michaelis
Meeting Date: 2nd Wednesday of the month; 5:30 p.m.
Location: La Verne City Hall
3660 D Street
La Verne 91750

FOOTHILL TRANSIT ZONE JOINT POWERS AUTHORITY

100 N. Barranca 626 967-3147
West Covina 91791 FAX 626 915-1143

Delegate: Councilmember Badar
Alternate: Councilmember Ebner
Meeting Date: Last Friday of the month; 8:00 a.m.
Location: same

SAN GABRIEL VALLEY COUNCIL OF GOVERNMENTS

1000 S. Fremont Unit 42
Alhambra, CA 91803
Email: sgv@sgvcog.org

Office: 626 457-1800
Fax: 626 457-1285

Delegate: Councilmember Bertone
Alternate: Mayor Pro Tem Templeman
Meeting Date: 3rd Thursday of the month; 5:30 p.m. Dinner 6 p.m. meeting
Location: CTA Center/Southern California
6090 N. Irwindale Ave.
Irwindale 91702

SAN GABRIEL VALLEY MOSQUITO & VECTOR CONTROL DISTRICT

1145 N. Azusa Canyon Rd
West Covina 91790

626 814-9466
FAX 626 337-5686

Delegate: Mayor Pro Tem Templeman
Alternate:
Meeting Date: 2nd Friday of the month; 7:00 a.m.
Location: same

CITY OF SAN DIMAS-BONITA UNIFIED SCHOOL DISTRICT
AD HOC COMMITTEE

Council Rep: Mayor Pro Tem Templeman and Councilmember Ebner
Meeting Date: as scheduled, generally every 3 months
Location: alternating District Office and City Hall

METRO GOLD LINE FOOTHILL EXTENSION – JPA*

240 W. Huntington Drive
Arcadia, CA 91066

626 471-9050

Council Rep: Councilmember Denis Bertone
Alternate:
Meeting Date: 2nd & 4th Wednesday of the month, 7:00 p.m.
Location: same as above

RIVERS MOUNTAINS CONSERVANCY

100 N. Old San Gabriel Canyon Road
Azusa 91702

626 815-1019

Council Rep: Councilmember Denis Bertone
Alternate:
Meeting Date: 3rd Monday of the month, 3:00 p.m.
Location: various locations

CITY COMMISSIONS

DEVELOPMENT PLAN REVIEW BOARD

Council Rep: Mayor Morris & Councilmember Badar
Meeting Date: 2nd & 4th Thursday of each month; 8:30 a.m.

EQUESTRIAN COMMISSION

Council Rep: Mayor Pro Tem Templeman
Meeting Date: 1st Tuesday every other month 6:00 p.m.

GOLF COURSE ADVISORY COMMITTEE

Council Reps: Mayor Morris & Councilmember Badar
Meeting Date: Quarterly; 7:30 a.m.
Location: San Dimas Canyon Golf Course-Clubhouse

PARKS & RECREATION COMMISSION

Council Rep: Councilmember Ebiner
Meeting Date: 3rd Tuesday every other month (odd months) 6:00 p.m.
Location: City Hall

PUBLIC SAFETY COMMISSION

Council Rep: Mayor Morris & Councilmember Badar
Meeting Date: 3rd Tuesday of the month 5:30 p.m.
Location: City Hall

SENIOR CITIZENS COMMISSION

Council Rep: Councilmember Bertone
Meeting Date: 1st Thursday every other month (odd months) 6:00 p.m.
Location: Sr. Citizens Community Center

RESOLUTION NO. 2013-20

**A RESOLUTION OF THE CITY COUNCIL OF THE
CITY OF SAN DIMAS, CALIFORNIA, APPROVING
CERTAIN DEMANDS FOR THE MONTHS OF FEBRUARY
MARCH 2013**

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: 02/28/13; 23395 through 23448, void (138253, 140477,
140932) in the amount of \$487,996.71 and 03/29/13; 143235 through 143415 in the amount of
\$787,242.73.

PASSED, APPROVED AND ADOPTED THIS 26th DAY OF MARCH 2013.

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

ATTEST:

Debra Black, Deputy 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 March 26th, 2013 by the following
vote:

AYES: Councilmembers Badar, Bertone, Ebiner, Templeman, Morris
NOES: None
ABSTAIN: None
ABSENT: None

Debra Black, Deputy City Clerk

4a(2)



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

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

SORRY FOR ANY INCONVENIENCES.

DOCUMENT IMAGING DEPT.



Agenda Item Staff Report

TO: Honorable Mayor and Members of City Council
For the Meeting of March 26, 2013

FROM: Blaine Michaelis, City Manager

INITIATED BY: Theresa Bruns, Director of Parks and Recreation 

SUBJECT: Approval of a Budget Appropriation for a Professional Services Agreement for HVAC System Design for the Senior Citizen/Community Center.

SUMMARY

A request for the City Council to approve a budget appropriation for a professional services agreement for the design of a replacement HVAC system at the Senior Citizen/Community Center.

BACKGROUND

The main heating and air conditioning system (HVAC) for the Senior Citizen/Community Center (SC/CC) has experienced failure and needs to be replaced. This system services the original portion of the SC/CC, which includes all of the building except for the 1992 north section addition. Some modifications have been made over time, with the most recent adjustments made with the 1992 construction. Many of the major components of the system are original and are at least 50 years old, with replacement parts no longer available.

Most recently, the boiler failed, disabling the system. Temporary repairs were completed through creative fabrication of parts and a "band aid" approach. Currently the system is operating on borrowed time and may fail at any given point.

Staff has held two meetings with PacificWest, an official ESCo, energy solutions company, and have requested a formal proposal from them for the design of a replacement HVAC system for the SC/CC. The proposal is expected to be received by March 27, 2013. Staff will execute a Professional Services Agreement with PacificWest for this purpose. Staff is requesting City Council approval for the budget appropriation of \$50,000 for this agreement, however the actual proposal may be less.

RECOMMENDATION

Staff recommends City Council approval of a budget appropriation of \$50,000 for the purpose of entering a Professional Service Agreement with PacificWest for the design of an HVAC system for the Senior Citizen/Community Center.



Agenda Item Staff Report

To: Honorable Mayor and Members of the City Council
For the meeting of March 26, 2013

From: Krishna Patel, Public Works Director *KRP*

Subject: **Water Quality Funding Initiative (WQFI) and NPDES Update**

The Los Angeles County Board of Supervisors (Board of Supervisors) voted 4 to 1 not to proceed with the public hearing on the Water Quality Funding Initiative (WQFI). With the defeat of the WQFI Cities are in a dilemma regarding the lack of funding. Further, the deferral of the WQFI raises the question: How will we pay for the unfunded mandates imposed by the newly adopted NPDES Permit? Staff provides the following possibilities:

- Collaborate and work with other cities to approach their elected officials to create a practical approach to this issue
- Involve the Council of Governments (COG)
- Regionally involve and communicate with our elected Federal and State Officials to consider a mechanism to fund the ever increasing unfunded mandates that all agencies would be facing.

We realize the importance and vital significance of water quality to our community and the region but funding for the additional requirements in the new NPDES Permit is virtually non-existent.

Please see the attached memo for detailed and background implementation efforts under the new permit thus far and anticipated collaboration with neighboring cities for additional implementation efforts.

Staff will continue to appraise City Council on the development and progress of this regionally significant water quality matter that financially impacts all agencies.



CITY OF SAN DIMAS MEMORANDUM

Public Works Department

DATE: March 21, 2013

TO: Honorable Mayor and Members of the City Council

FROM: Krishna Patel, Director of Public Works

SUBJECT: **National Pollutant Discharge Elimination System (NPDES) Permit and Water Quality Funding Initiative (WQFI) Update**

On March 28, 2013 Permittees under the National Pollutant Discharge Elimination System (NPDES) Permit will embark upon three (3) months of Permit implementation. Staff has assured compliance with the Permit scheduled deadlines thus far which include:

- Demonstration that a low impact development (LID) ordinance and green streets policy are underway;
- Inform project planners about new land development requirements, effective March 28, 2013.
- Participation in a pilot program with local clean water systems (CWS) to streamline Discharge Prohibition Requirements.

Staff has complied with the aforementioned requirements by partnering with the LA Permit Group and consultants to develop a draft LID ordinance and green streets policy template. Secondly, Staff has complied with the land development requirement by drafting an informational memorandum and checklist for impacted projects, which was provided to our Planning and Land Development Department. Finally, Staff has provided contact information for the pilot program to test discharge notification strategies, as CWS (Golden State Water for San Dimas) are required to notify the City 72-hours prior to any planned discharges and as soon as possible for unplanned discharges through our storm drain system.

As the additional compliance deadlines approach (June 28, 2013) Permittees are not confident that continued compliance will be as easy as it was with the first couple of deadlines and funding has become less accessible due to the hold placed on the Water Quality Funding Initiative (WQFI).

Water Quality Funding Initiative (WQFI)

The governing body of the Los Angeles County Flood Control District, the Los Angeles County Board of Supervisors held a public hearing on January 15, 2013 to determine if the controversial Water Quality Funding Initiative (WQFI) would continue and be voted upon via mail or at the polls. The Board of Supervisors voted to continue the public hearing until March 12, 2013. On March 12, 2013 thirty-five (35) cities expressed protest against the WQFI and the Board of Supervisors ultimately voted to reject the initiative in its current form and work with stakeholders to develop a new measure that addresses the concerns voiced by the

public over the last several months. The Board of Supervisors also asked for quarterly progress reports and a target election date of June or November 2014.

This decision is a setback as Permittees draft NPDES Permit compliance costs and face the inevitable exhaustion of general funds to cover the NPDES Program.

National Pollutant Discharge Elimination System (NPDES) Permit Progress

In an effort to maintain compliance with the new NPDES Permit compliance measures, Staff has collaborated with the neighboring cities of Claremont, La Verne, and Pomona because of watershed similarities and we are subject to the same total maximum daily loads (TMDLs). Collaborating with the aforementioned cities shall include developing a Watershed Management Plan (WMP) or an Enhanced Watershed Management Plan (EWMP), as determined by a technical feasibility analysis. This group of cities also referred to as "Member Agencies" have agreed to share in the cost accrued to obtain a consultant to assess the technical feasibility of developing a WMP or a EWMP. The anticipated cost to obtain a technical consultant is estimated between \$20,000 - \$30,000, to be equally divided among the Member Agencies. Furthermore, Member Agencies have authorized the City of La Verne to execute and manage the contract with the selected consultant.

EWMP Verses WMP

In response to the fact that there are various factors that make it challenging for cities to control every pollutant source within our boundaries (and thereby comply with the strict numeric standards), the NPDES Permit provides an adaptive management approach to meet the interim standards set in the total maximum daily loads (TMDLs). This allows the City to show action-based compliance (rather than numeric) through the implementation of a Watershed Management Plan (WMP) or an Enhanced Watershed Management Plan (EWMP). Both are planning documents to integrate the various permit provisions, including TMDL compliance, monitoring, Receiving Water Limitations, and non-stormwater discharges.

The requirements of each plan are listed below:

WMP/EWMP:

- Prioritize water quality issues (TMDLs and Receiving Water Limitations).
- Identify implementation strategies, control measure and Best Management Practices (BMPs) to achieve the water quality standards.
- Execute an integrated monitoring program and program assessment to determine progress toward the water quality standards.
- Include adaptive management based on the monitoring and program assessment.
- Provide opportunity for stakeholder input through a Technical Advisory Committee.

EWMP additional standards:

- Multi-benefit regional projects.
- Conduct modeling analysis to determine if regional multi-benefit projects could be built to retain (through infiltration or capture and reuse) the volume from the 85th percentile, 24-hour storm event for the drainage area tributary to the multi-benefit project. These types of projects are referred to as enhanced projects. If such a project is feasible, then the land area draining to the project would obtain action-based compliance with interim and final TMDL standards.

In order to be eligible for the benefits provided by the WMP/EWMPs the following timeline must be met; otherwise, the numeric compliance is the only option available to the City.

| Action/Deliverable | WMP | EWMP |
|--------------------------------------------------------------------------------------------|-------------------------------------------------|----------------------|
| File a Notice of Intent and Agreements of Participating Agencies | June 28, 2013 | |
| Adopt Low Impact Development Ordinance Commence Ordinance Preparation Complete Draft | February 25, 2013 June 28, 2013 | |
| Adopt Green Street Policy Commence Policy Preparation Complete Draft | February 25, 2013 June 28, 2013 | |
| Submit Final Work Plan | | June 28, 2014 |
| Draft Plan to LA Regional Board | June 28, 2013 | June 28, 2015 |
| LA Regional Board Review and Comment Period | Four (4) months from submittal of draft Plan | |
| Submit Final Plan | Three (3) months after receipt of comments | |
| LA Regional Board Approves/Denies | Within three (3) months of Final Plan submittal | |
| Implement Plan | Upon approval | |
| Comprehensive Evaluation of Plan | Two (2) years from approval date | |

In addition to the advantages associated with the extended timeline shown above, if the City chooses to fully implement a WMP or EWMP, enforcement or third party litigation is not allowed for an exceedance; however, there are very specific monitoring, tracking, and reporting requirements the City will need to complete if/when an exceedance or nuisance is observed.

Next Steps:

Staff has reviewed the options available, and believes that joining the cities of Claremont, La Verne, and Pomona in developing a local WMP or EWMP is the best path toward compliance for the City. Following a final determination and implementation cost resulting from the technical analysis Staff will present findings to Council at a future date.



Agenda Item Staff Report

TO: Honorable Mayor and Members of City Council
For the Meeting of March 26, 2013

FROM: Blaine Michaelis, City Manager *Bm*

SUBJECT: Re appoint members to the Public Safety Commission

SUMMARY

Three members of the Commission have expired terms and are eligible for reappointment. Roger Therien and Fred Ortiz desire to continue serving. Norm Wiles continues with some health issues and has decided to not request reappointment. He has hopes of participating in the future.

RECOMMENDATION

Appoint Roger Therien and Fred Ortiz to serve an additional 2 year term on the Public Safety Commission. Thank Norm Wiles for his service.

(b)(1)