



MINUTES  
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

**PRESENT:**

Mayor Curtis W. Morris  
Mayor Pro Tem Emmett Badar  
Councilmember Denis Bertone  
Councilmember John Ebner  
Councilmember Jeff Templeman  
City Manager Blaine Michaelis  
City Attorney Ken Brown  
Assistant city Manager of Development Services Larry Stevens  
Assistant Manager Administrative Services Ken Duran  
Director of Parks and Recreation Theresa Bruns  
Director of Public Works Krishna Patel  
Deputy City Clerk Debra Black

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

Mayor Morris called the meeting to order at 7:03 p.m. and led the flag salute.

- 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

Yvette Picconi representing the Equestrian Commission announced the details of the upcoming Trail Clean-Up.

Pui Ching Ho representing the library announced upcoming events planned at the library. She also announced her new assignment to the Diamond Bar Library and introduced Amy Crow as the acting Community Library Manager for San Dimas. She thanked everyone for their support of the library.

Mayor Morris thanked Pui Ching for her interest in the community and being a great ambassador for the library.

Councilmember Bertone extended congratulations on her new assignment.

Councilmember Ebner thanked Pui Ching for being a great head librarian. He shared that she has been very helpful with the programs, outreach and technology.

Jim Elliot Bonita Unified School Board Member congratulated Councilmembers on their re-election and thanked everyone for attending the Open House for the new gymnasium.

### 3. POST ELECTION PROCEDURES

- a. Adoption of **Resolution No. 2013-19**, Declaring the results of the March 5, 2013 General Municipal Election.

**MOTION:** After the title was read, it was moved by Councilmember Ebner and seconded by Councilmember Templeman to waive further reading and adopt Resolution 2013-19. The motion passed unanimously.

- b. Oath of Office.

Deputy City Clerk Debra Black administered the oath of office and presented Certificates of election to Mayor Morris and Councilmembers Bertone and Templeman.

- c. Appointment of Mayor Pro Tem.

**MOTION:** It was moved by Mayor Morris and seconded by Councilmember Badar to appoint Councilmember Bertone as Mayor Pro Tem. The motion passed unanimously.

- d. City Council/Commission/Committee/Board Assignments.

**MOTION:** It was moved by Councilmember Bertone and seconded by Councilmember Templeman to reaffirm existing appointments to the various commissions and Committees. The motion carried unanimously.

- e. Remarks from Mayor and Councilmembers.

Councilmember Bertone thanked the voters and his wife Diana, Margie Green and Alta Skinner for their support and the work they do for the community.

Councilmember Templeman shared that it is an honor for him to serve this community and be a part of the great council. He went on to thank his wife Terri and family members.

Mayor Morris thanked everyone in the community for giving him an opportunity to continue to serve as Mayor. He stated that this council works well together. He continued by thanking his wife of 46 years Glenda.

Councilmember Ebner shared that he appreciates the opportunity to work with this council.

Councilmember Badar extended congratulations to all.

### 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.)

**MOTION:** It moved by Councilmember Bertone and seconded by Councilmember Badar 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. 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.’

City Manager Blaine Michaelis gave an update on the progress of the Clean Water Clean Beaches Parcel Tax being considered by the Board of Supervisors the item of concern noted were:

- Board reviewed report from staff to consider looking at changes to the fee
- Method or type of tax being used to provide the funding

City Manager Michaelis continued to say that the direction given to county staff by the Board was to hold off and delay the implementation of the Clean Water Clean Beaches Parcel Tax system to generate money for storm water systems and MS4 Permit. They will look at restructuring the process so that it would be done on an election. He continued to say that without any other funding source cities would need to come up with the funds needed to comply with the requirements of the MS4 Permit. City staff has started talks with other cities to see what their positions are now that the County Supervisors has delayed the progress of the Parcel Tax. Our staff has already placed a price on the different phases of the MS4 Permit and what needs to be done; and feels that \$1.7 million dollars is what is needed to help with the permit process. He asked if Council would be comfortable with staff moving forward with the strategy of associating the two issues of identifying sufficient resources available to implement the MS4 Permit or paying for it with city revenues which would be a tough solution.

Councilmember Bertone asked if the group of cities in talks the same as the WAG and if they were all in the same watershed.

Director of Public Works Krishna Patel responded that the group would be similar to the WAG and all were in the same watershed.

Councilmember Templeman asked what does it mean to pursue revenue.

City Manager Michaelis answered that having a concensus from all the cities that there cannot be successful MS4 compliance without sufficient revenue; and expressing that decision to the people responsible to implement the permit.

Councilmember Templeman stated that we should start educating the community so that they understand what this is and that Krishna's document of March 26, 2013 should be placed on the city's website. He also expressed that if we don't comply with this permit process this will be like ADA Compliance and there will be lawyers out looking for ways to sue cities.

Mayor Morris expressed the need for the city to do everything we can to position ourselves in a category of no third party lawsuits.

Discussion continued on the idea of working with other cities and the costs of implementation.

## 6. ORAL COMMUNICATIONS

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

No one.

- b. City Manager

(1) Possible meeting dates for the Council/Staff Spring Retreat

- Monday, April 29
- Tuesday, April 30
- Saturday, May 4

April 29<sup>th</sup>, 2013, 5:00 – 9:00 p.m.

- c. City Attorney

Nothing to report.

- d. Members of the City Council

- 1) Reappoint Roger Therien and Fred Ortiz to Public Safety Commission and approval to fill one vacancy

**MOTION:** A motion was made by Mayor Morris and seconded by Councilmember Bertone to reappoint roger Therien and Fred Ortiz to the Public Safety Commission. Motion passed unanimously.

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

Councilmember Bertone attended the Local Government Commission Conference sponsored by the Gas Company and Edison.

3) Individual Members' comments and updates

Councilmember Templeman thanked the community for supporting Measure A.

**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.

Respectfully submitted,

Debra Black  
Deputy City Clerk