



**AGENDA**  
**REGULAR CITY COUNCIL MEETING**  
**TUESDAY, NOVEMBER 26, 2013, 7:00 P. M.**  
**SAN DIMAS COUNCIL CHAMBERS**  
**245 E. BONITA AVENUE**

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**CITY COUNCIL:**

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

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

**2. ANNOUNCEMENTS**

➤ Holiday Extravaganza December 7, 2013

**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 requests separate discussion.)

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

**RESOLUTION NO. 2013 - 57, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN DIMAS, CALIFORNIA, APPROVING CERTAIN DEMANDS FOR THE MONTH OF NOVEMBER, 2013.**

b. Approval of minutes for regular City Council meeting of November 12, 2013, Study Session October 22, 2013 and City Council/Staff Retreat October 28, 2013.

c. **MUNICIPAL CODE TEXT AMENDMENT 13-05** - Consideration of a Municipal Code Text Amendment to allow a limited number of household chickens in conjunction with a single-family detached residence in all residential zones and specific plans that allow single-family detached residential uses, and other minor miscellaneous edits.

**ORDINANCE NO. 1226 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN DIMAS ADOPTING MUNICIPAL CODE TEXT AMENDMENT 13-05, AMENDING CHAPTERS 18.08, 18.16, AND 18.20 OF THE SAN DIMAS MUNICIPAL ZONING CODE - SECOND READING AND ADOPTION**

END OF CONSENT CALENDAR

## 5. PLANNING

- a. Introduction and first reading of Uniform Building Codes and set December 10, 2013 as date for public hearing and adoption.

**ORDINANCE NO. 1227, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN DIMAS AMENDING SPECIFIED CHAPTERS OF TITLE 15 OF THE SAN DIMAS MUNICIPAL CODE AND ADOPTING BY REFERENCE THE 2013 EDITION OF THE CALIFORNIA BUILDING CODE, VOLUMES 1 & 2, THE 2013 EDITION OF THE CALIFORNIA RESIDENTIAL CODE, THE 2013 EDITION OF THE CALIFORNIA ELECTRICAL CODE, THE 2013 EDITION OF THE CALIFORNIA MECHANICAL CODE, THE 2013 EDITION OF THE CALIFORNIA GREEN BUILDING STANDARDS CODE, TOGETHER WITH CERTAIN AMENDMENTS, ADDITIONS, DELETIONS, AND EXCEPTIONS, INCLUDING FEES AND PENALTIES - **FIRST READING AND INTRODUCTION****

## 6. OTHER BUSINESS

- a. Extension of the Agreement with the University of La Verne for the Management of the City's Government/Education Access Channel
- b. Request from Waste Management for Refuse Service Rate Increase

## 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 update

## 10. ADJOURNMENT

The next meeting will be Tuesday, December 10, 2013 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://www.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 DURING NORMAL BUSINESS HOURS. [PRIVILEGED AND CONFIDENTIAL DOCUMENTS EXEMPTED]

**POSTING STATEMENT:** ON NOVEMBER 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); AT THE VONS SHOPPING CENTER (PUENTE/VIA VERDE) AND THE CITY'S WEBSITE AT WWW.CITYOFSANDIMAS.COM/MINUTES.CFM.

**RESOLUTION NO 2013-57**

**A RESOLUTION OF THE CITY COUNCIL OF THE  
CITY OF SAN DIMAS, CALIFORNIA, APPROVING  
CERTAIN DEMANDS FOR THE MONTH OF NOVEMBER 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: 11/27/13; (146170 - 146279) in the amount of  
\$756,631.13.

PASSED, APPROVED AND ADOPTED THIS 26<sup>TH</sup> DAY OF NOVEMBER 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 November 26<sup>th</sup>, 2013 by the following  
vote:

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

\_\_\_\_\_  
Debra Black, Deputy City Clerk

WARRANT DATE	VENDOR	DESCRIPTION	AMOUNT	CLAIM	INVOICE	PO#	F 9 S ACCOUNT
BANK OF AMERICA							
146170	11/27/13	ACT NOW! SIGNS	141.70		17125		N D 001.4420.034.010
146171	11/27/13	ADVANCED ELECTRONICS	810.00		0130890-IN		N D 001.4342.020.001
146171	11/27/13	ADVANCED ELECTRONICS	1,920.68		0130890-IN		N D 001.4342.020.001
146171	11/27/13	ADVANCED ELECTRONICS	461.58		0134196-IN		N D 001.4342.020.001
146171	11/27/13	ADVANCED ELECTRONICS	387.94		0134200-IN		N D 001.4342.020.001
146171	11/27/13	ADVANCED ELECTRONICS	4,376.38		0134209-IN		N D 001.4342.020.001
*CHECK TOTAL							
146172	11/27/13	AGUIRRE/GLORIA	22.50				M D 001.4420.013.009
146173	11/27/13	ALARCON/DEBRA	4.00				N D 001.367.010
146174	11/27/13	ALBERTSON'S	25.47		21057		N D 001.4420.033.000
146174	11/27/13	ALBERTSON'S	49.52		21057		N D 001.4420.033.000
*CHECK TOTAL							
146175	11/27/13	ALLAN/CHERROL	36.00				N D 001.367.010
146176	11/27/13	AMERIPRIDE UNIFORM	10.50		1400679924		N D 001.4311.029.000
146176	11/27/13	AMERIPRIDE UNIFORM	10.50		1400687029		N D 001.4311.029.000
146176	11/27/13	AMERIPRIDE UNIFORM	32.50		1400692873		N D 001.4311.029.000
146176	11/27/13	AMERIPRIDE UNIFORM	5.80		1400697877		N D 001.4311.029.000
146176	11/27/13	AMERIPRIDE UNIFORM	132.50		1400697877		N D 001.4311.029.000
146176	11/27/13	AMERIPRIDE UNIFORM	5.80		1400703075		N D 001.4311.029.000
146176	11/27/13	AMERIPRIDE UNIFORM	147.10		1400703078		N D 001.4311.029.000
*CHECK TOTAL							
146177	11/27/13	BAY CITY ELECTRIC WO	1,018.00		WW117455		N D 001.4411.015.000
146178	11/27/13	BERGQUIST-DEVOE/CARL	396.44				M D 001.4420.020.000
146179	11/27/13	BUSINESS CARD	255.25				N D 001.4110.021.000
146179	11/27/13	BUSINESS CARD	450.00				N D 001.4110.021.000
146179	11/27/13	BUSINESS CARD	480.45				N D 001.4110.021.000
146179	11/27/13	BUSINESS CARD	90.44				N D 001.4110.021.000
146179	11/27/13	BUSINESS CARD	524.78				N D 001.4110.021.000
146179	11/27/13	BUSINESS CARD	245.85				N D 001.4110.021.000
*CHECK TOTAL							
146180	11/27/13	CALIF CONTRACT CITIE	25.00		1312		N D 001.4120.021.000
146181	11/27/13	CALIFORNIA PRODUCT S	500.00		FY14-018-AF		N D 001.4190.020.028
146182	11/27/13	CBEYOND	888.39		14187535		N D 001.4190.020.034
146182	11/27/13	CBEYOND	1,486.97		14189422		N D 001.4190.020.034
*CHECK TOTAL							







WARRANT DATE VENDOR  
BANK OF AMERICA

Disbursement Journal

WARRANT DATE	VENDOR	DESCRIPTION	AMOUNT	CLAIM	INVOICE	PO#
146214	11/27/13	INLAND EMPIRE				
146214	11/27/13	INLAND EMPIRE				
146214	11/27/13	INLAND EMPIRE				
146214	11/27/13	INLAND EMPIRE				
146215	11/27/13	INLAND OFFICE PRODUCT				
146215	11/27/13	INLAND OFFICE PRODUCT				
146215	11/27/13	INLAND OFFICE PRODUCT				
146215	11/27/13	INLAND OFFICE PRODUCT				
146215	11/27/13	INLAND OFFICE PRODUCT				
146216	11/27/13	INLAND VALLEY HUMANE				
146217	11/27/13	JOHNSON/BARBARA				
146218	11/27/13	KENNEDY/DONALD BRUCE				
146219	11/27/13	KJ SERVICES ENVIRONM				
146220	11/27/13	L.A. CO. AGRICULTURA				
146221	11/27/13	L.A. COUNTY FIRE DEP				
146221	11/27/13	L.A. COUNTY FIRE DEP				
146222	11/27/13	L.A. COUNTY SHERIFF				
146222	11/27/13	L.A. COUNTY SHERIFF				
146222	11/27/13	L.A. COUNTY SHERIFF				
146222	11/27/13	L.A. COUNTY SHERIFF				
146222	11/27/13	L.A. COUNTY SHERIFF				
146222	11/27/13	L.A. COUNTY SHERIFF				
146222	11/27/13	L.A. COUNTY SHERIFF				
146223	11/27/13	LA MIRADA THEATRE FO				
146224	11/27/13	LA VERNE POWER EQUIP				
146225	11/27/13	LAE ASSOCIATES				
146226	11/27/13	LAWRENCE ROLL-UP DOO				
146227	11/27/13	LEPE/MAURO				
146228	11/27/13	LOWE'S HOME IMPROVEM				
146228	11/27/13	LOWE'S HOME IMPROVEM				
13575	9/29	ANYTHING GOES EX	870.00		40938	
13575	10/16	CELEBRITY HOME T	363.00		41394	
13575	10/16	CELEBRITY HOME T	965.00		41394	
13575	9/25	LAS BRISAS RESTR	745.00		41725	
			7,772.75	*CHECK TOTAL		
10441		CREDIT OFFICE SUPPLIES	20.12		843044	
10441		OFFICE SUPPLIES	126.29		843383	
10441		OFFICE SUPPLIES	314.79		8444017	
10441		OFFICE SUPPLIES	119.14		8444024	
10441		OFFICE SUPPLIES	219.47		8444328	
10441		OFFICE SUPPLIES	134.75		8444608	
			635.75	*CHECK TOTAL		
13250	DEC/13	HUMANE SOCI	10,539.33			
12574		SENIOR BOUTIQUE	36.00			
00001		REFUND CITE#36391	45.00			
10790		OCT/OIL FILTER EXCH	2,284.93		7960	
10143		SEPT-WEED CONTROL	925.13		855J	
10490		LACO/CUPA # AR0008243	363.00		IN0189796	
10490		LACO/CUPA #AR0028712	455.00		IN0190699	
			818.00	*CHECK TOTAL		
14307		OCT-CONTRACT SERVI	20,027.42		141458NH	
14307		OCT-CONTRACT SERVI	350,886.00		141458NH	
14307		OCT-CONTRACT SERVI	18,987.33		141458NH	
14307		OCT-CONTRACT SERVI	4,816.58		141458NH	
14307		OCT-CONTRACT SERVI	6,915.83		141458NH	
14307		OCT-CONTRACT SERVI	16,872.88		141458NH	
14307		OCT-CONTRACT SERVI	16,824.82		141458NH	
			454,317.39	*CHECK TOTAL		
10654		DEPOSIT FOR: IN THE MO	214.20			
11666		WAND KIT	65.39		37062	
11831		S.D. WASH PROJECT	1,355.00		13-202	
10436		INSTALL ROLL UP DOO	1,700.00		1317223	
14068		OCT-GARDENER SERVICE	65.00			
10479		PLAY SAND/POLYS	89.73		01936	
10479		CHRISTMAS TREE ELECTRI	54.53		02156	

Disbursement Journal

WARRANT	DATE	VENDOR	DESCRIPTION	AMOUNT	CLAIM	INVOICE	PO#
BANK OF AMERICA							
146228	11/27/13	HOME IMPROVEM	HOME IMPROVEM				
146228	11/27/13	HOME IMPROVEM	HOME IMPROVEM				
146228	11/27/13	HOME IMPROVEM	HOME IMPROVEM				
146228	11/27/13	HOME IMPROVEM	HOME IMPROVEM				
146228	11/27/13	HOME IMPROVEM	HOME IMPROVEM				
146228	11/27/13	HOME IMPROVEM	HOME IMPROVEM				
146229	11/27/13	MADRIGAL/GLORIA	11827 SEPT MILEAGE	7.62			
146230	11/27/13	MAGIC JUMP RENTALS I	10395 BOUNCER RENTAL	365.00			
146231	11/27/13	MAR-CO EQUIPMENT CO	12263 BATT 12VOLT W/STUDS	446.72		109934	
146232	11/27/13	MARLEPOSA LANDSCAPE	12108 SEPT-EQUESTRIAN TRA	2,494.33		61725	
146232	11/27/13	MARLEPOSA LANDSCAPE	12108 OCT-MEDIANS & GROUNDS	6,212.47		61725	
146232	11/27/13	MARLEPOSA LANDSCAPE	12108 OCT-SPORTSPLEX	7,537.24		61725	
146232	11/27/13	MARLEPOSA LANDSCAPE	12108 OCT-PARKWAYS & DOWNT	967.99		61725	
146232	11/27/13	MARLEPOSA LANDSCAPE	12108 OCT-MISC LANDSCAPES	961.20		61725	
146232	11/27/13	MARLEPOSA LANDSCAPE	12108 OCT-PLANTING AREAS	3,384.63		61725	
146232	11/27/13	MARLEPOSA LANDSCAPE	12108 OCT-TRASH PICK UP PAR	3,984.63		61725	
146232	11/27/13	MARLEPOSA LANDSCAPE	12108 OCT-HORSETHIEF CYN	2,313.17		61725	
146232	11/27/13	MARLEPOSA LANDSCAPE	12108 OCT-PARK & RIDE	90.17		61725	
146232	11/27/13	MARLEPOSA LANDSCAPE	12108 OCT-BUS TRASH CANS	28,366.55		61725	
146233	11/27/13	MARTIN/IRENE	.00005 REFUND FOR 2ND PERMIT	13.00			
146234	11/27/13	MARTIN/WILLIAM	.00002 REFUND DEPOSIT/RENTAL	500.00			
146235	11/27/13	MC LAY SERVICES INC	14580 MAINT. CONTRACT RENEWE	420.00		41776	
146235	11/27/13	MC LAY SERVICES INC	14580 MAINT./REPAIR SERV	695.00		42612	
146235	11/27/13	MC LAY SERVICES INC	14580 PREV.MAINT. NOV/2013	699.00		42616	
146235	11/27/13	MC LAY SERVICES INC	14580 OCT-NJD LTD.	208.00		6024	
146236	11/27/13	MCKENNA LONG & ALDRI	12315 OCT-CITY SPECIAL PR 5,	890.50		916315	
146236	11/27/13	MCKENNA LONG & ALDRI	12315 OCT-REDEV AGENCY GENE	252.00		916317	
146236	11/27/13	MCKENNA LONG & ALDRI	12315 SERV FOR OCT/2013	189.00		916318	
146236	11/27/13	MCKENNA LONG & ALDRI	12315 OCT-GROVE STATION	1,500.00		916319	
146236	11/27/13	MCKENNA LONG & ALDRI	12315 OCT-GENERAL RETAINE	15,493.00		916319	
146237	11/27/13	MCNEIL/DONNA	.00006 REFUND/ACTIVITY CANCELL	4.00			
146238	11/27/13	MILLER/BEVERLY	10361 SENIOR BOUTIQUE	10.80			
146239	11/27/13	NAFIS/LAURA	.00011 REFUND/STAINED GLASS	57.00			
*CHECK TOTAL							
*CHECK TOTAL							
*CHECK TOTAL							
*CHECK TOTAL							

WARRANT DATE VENDOR  
BANK OF AMERICA

Disbursement Journal

DESCRIPTION AMOUNT

DESCRIPTION	AMOUNT
146240 11/27/13 NEXTEL COMMUNICATION	14755 656087319 10/4-11/3 1,337.45
146241 11/27/13 ONTARIO REFRIGERATIO	14880 TUBING,HARDWARE,LABOR 553.05
146242 11/27/13 PACIFICWEST ENERGY S	10783 HVAC DESIGN SERVIC 14,785.00
146243 11/27/13 PHOENIX GROUP INFORM	12381 SEPT. CITATIONS 6.53
146244 11/27/13 PHOENIX GROUP INFORM	12381 SEPT. CITATIONS 1,024.14
146244 11/27/13 PLUMBING WHOLESAL	15093 HARDWARE SUPPLIES 279.41
146244 11/27/13 PLUMBING WHOLESAL	15093 ELKAY CARTRIDGE/HOT/C 141.35
146244 11/27/13 PLUMBING WHOLESAL	15093 ELKAY CARTRIDGE/HOT/CO 87.20
146244 11/27/13 PLUMBING WHOLESAL	15093 COPPER PIPE 1/2" HARD 135.87
146244 11/27/13 PLUMBING WHOLESAL	15093 SLOAN ISOLATED SOLENOI 24.00
146245 11/27/13 PRINT CONNECTION	12288 EXTRAVAGANZA FLYERS 460.80
146246 11/27/13 QUINTANAR/ELIZABETH	11540 MILEAGE FOR: OCT/2013 21.64
146247 11/27/13 RADIANT WATER INC	15682 SOFT WATER OCT/2013 25.00
146248 11/27/13 REIMER/KATYA	10154 SUNSHINE GENERATION N 409.50
146249 11/27/13 RESERVE ACCOUNT	15392 POSTAGE DEC/2013 1,500.00
146250 11/27/13 RIGHT OF WAY INC	12433 STREET SUPPLIES 373.60
146250 11/27/13 RIGHT OF WAY INC	12433 CUSTOME SIGNS 192.71
146251 11/27/13 RODRIGUEZ, INC./R.Y.	15668 MATERIAL/EQUIP/LABO 2,337.50
146252 11/27/13 RUSSELL/AMBER	.00008 REFUND/ACTIVITY CANCELL 4.00
146253 11/27/13 SAN DIMAS CHAMBER OF	15975 PROMOTIONAL SERVS.D 3,750.00
146254 11/27/13 SAN DIMAS HARDWARE	16016 RULE TAPE 3/8X100 20.48
146254 11/27/13 SAN DIMAS HARDWARE	16016 UPPLISTRY CLEANER 74.71
146254 11/27/13 SAN DIMAS HARDWARE	16016 GRATE ROUND 6"GREEN 13.30
146254 11/27/13 SAN DIMAS HARDWARE	16016 TAPE ELECTRIC 1.01
146254 11/27/13 SAN DIMAS HARDWARE	16016 3/8 SHORT LAG SCREW 50.95
146254 11/27/13 SAN DIMAS HARDWARE	16016 1/4 PVC UNION 5.66
146254 11/27/13 SAN DIMAS HARDWARE	16016 S/F RESPIRATOR 2PK,MSR 24.91
146254 11/27/13 SAN DIMAS HARDWARE	16016 STAPLE 1/2" 35.85
146254 11/27/13 SAN DIMAS HARDWARE	16016 CORD EXTENSION POLY 27.42
146254 11/27/13 SAN DIMAS HARDWARE	16016 FILM POLY TARP 10.75
146254 11/27/13 SAN DIMAS HARDWARE	16016 GARDEN HOSE 16.75
146254 11/27/13 SAN DIMAS HARDWARE	16016 HOSE BUSHING CAP UNIO 14.32
146254 11/27/13 SAN DIMAS HARDWARE	16016 CEMENT PVC, UNION SCH80 14.32

F 9 S ACCOUNT

CLAIM INVOICE

AMOUNT

CLAIM	INVOICE	AMOUNT
656087319-143		1,337.45
140988		553.05
1314		14,785.00
0920131188		6.53
092013188		1,024.14
*CHECK TOTAL		
870857		279.41
870858		141.35
871113		87.20
871211		135.87
*CHECK TOTAL		24.00
10881		460.80
11868		373.60
11908		192.71
*CHECK TOTAL		566.31
26595		2,337.50
3250157715		3,750.00
3250157732		20.48
3250157733		74.71
3250157734		13.30
3250157735		1.01
3250157736		50.95
3250157737		5.66
3250157738		24.91
3250157739		35.85
3250157740		27.42
3250157741		10.75
3250157742		16.75
3250157743		14.32
3250157744		14.32

PO#

INVOICE

AMOUNT



WARRANT DATE VENDOR  
BANK OF AMERICA

Disbursement Journal

F 9 S ACCOUNT

PO# CLAIM INVOICE

AMOUNT

DESCRIPTION

WARRANT DATE	VENDOR	DESCRIPTION	AMOUNT	CLAIM	INVOICE	PO#
146263 11/27/13	SWRCB	STATE WATER BD ANN	15,989.00		WD-0088255	N D 001.4341.024.001
146263 11/27/13	SWRCB	STATE WATER BD ANN	1,940.00		WD-0092599	N D 001.4341.024.001
			17,929.00	*CHECK TOTAL		
146264 11/27/13	TECS ENVIRONMENTAL C	NPDES SERVICES	300.00		SNDMS-1113	N D 001.4341.024.020
146265 11/27/13	TOVAR/HUMBERTO	REFUND DEPOSIT/RENTAL	281.25			N D 001.341.002
146266 11/27/13	TRAINER BOOKKEEPING	SERV.FEE. TITLE & REG	135.00		21791	M D 001.4342.020.001
146267 11/27/13	UNDERGROUND SERVICE	92 NEW TICKETS	138.00		1020130627	N D 001.4310.016.000
146268 11/27/13	UNITED ROTARY BRUSH	RECONDITION MATERIAL	109.59		277723	N D 001.4342.011.002
146269 11/27/13	VALLEY TROPHY	TROPHIES/HALLOWEEN	117.72		20034	M D 001.4420.034.010
146270 11/27/13	VERIZON	INTERNET	129.99			N D 001.4190.020.034
146270 11/27/13	VERIZON	INTERNET	49.99			N D 001.4190.020.034
			179.98	*CHECK TOTAL		
146271 11/27/13	VERIZON CALIFORNIA	809-147-5405	21.08			N D 001.4210.022.000
146271 11/27/13	VERIZON CALIFORNIA	809-322-4890	45.70			N D 001.4410.022.000
146271 11/27/13	VERIZON CALIFORNIA	809-322-4330	173.36			N D 001.4410.022.000
146271 11/27/13	VERIZON CALIFORNIA	809-322-4363	45.32			N D 001.4410.022.000
146271 11/27/13	VERIZON CALIFORNIA	809-322-8210	44.20			N D 001.4410.022.000
146271 11/27/13	VERIZON CALIFORNIA	809-308-5881	49.95			N D 001.4190.020.034
146271 11/27/13	VERIZON CALIFORNIA	809-197-3010	53.94			N D 001.4414.020.034
146271 11/27/13	VERIZON CALIFORNIA	809-592-0732	102.00			N D 001.4411.022.000
			535.55	*CHECK TOTAL		
146272 11/27/13	WALCZAK/BEVERLY	KARATE CLASS/NOVEMBER	737.58			M D 001.4420.020.000
146273 11/27/13	WALCZAK/JEROME	KARATE CLASS/NOVEMBER	737.58			M D 001.4420.020.000
146274 11/27/13	WARNER ASSOCIATES/KA	HOUSING ELEMENT RE	12,697.00		568	M D 001.210.001
146275 11/27/13	WATERLINE TECHNOLOGI	HYPOCHLORITE SOLUTION	185.91		5255524	N D 001.4430.033.000
146275 11/27/13	WATERLINE TECHNOLOGI	HYPOCHLORITE SOLUTION	393.75		5255525	N D 001.4430.033.000
146275 11/27/13	WATERLINE TECHNOLOGI	HYPOCHLORITE SOLUTION	189.49		5256040	N D 001.4430.033.000
			769.15	*CHECK TOTAL		
146276 11/27/13	WKE INC	BRIDGE WIDEN/BIKEWA	9,233.80		19	N D 012.210.001
146277 11/27/13	YALE-CHASE EQUIPMENT	ELEMENT AIR,KEY SWITC	134.83		S173629	N D 001.4342.011.000
146278 11/27/13	ZAD ENTERPRISES	REFUND/PUBLIC HEARING	240.00			N D 001.360.001
146278 11/27/13	ZAD ENTERPRISES	REFUND/PRECEISE PLAN R	546.00			N D 001.360.001
			786.00	*CHECK TOTAL		
146279 11/27/13	ZAILO/ROBERT W	TAI CHI CLASS/NOVEMBER	97.92			M D 001.4420.020.000
	BANK OF AMERICA	TOTAL	756,631.13			

ACS FINANCIAL SYSTEM  
11/21/2013 10:09:31  
WARRANT DATE VENDOR  
REPORT TOTALS:

DESCRIPTION      Disbursement Journal  
AMOUNT  
756,631.13

CLAIM INVOICE

PO#

GL540R-V07.23 PAGE 10  
CITY OF SAN DIMAS  
F 9 S ACCOUNT

RECORDS PRINTED - 000317

FUND RECAP:

FUND	DESCRIPTION
001	GENERAL FUND
003	WALKER HOUSE LLC FUND
007	CITY WIDE LIGHTING DISTRICT
008	LANDSCAPE PAVILLION TAX
012	INFRASTRUCTURE REPLACEMENT
020	COMMUNITY PARK DEVELOPMENT
022	OPEN SPACE #2 (EAST)
027	CIVIC CENTER PARKING DIST
034	HOUSING AUTHORITY 2-1-12
038	SUCCESSOR AGENCY CG 2-1-12
053	GOLF COURSE MAINT & OPERATIO
072	PROP A LOCAL TRANSPORTATION
110	TRUST AND AGENCY
TOTAL ALL FUNDS	

DISBURSEMENTS

599,869.80
1,587.65
46,739.40
33,334.87
62,533.80
2,606.04
88.24
456.71
859.09
661.50
695.00
6,012.32
6,186.70
756,631.13

BANK RECAP:

BANK	NAME
CHEK	BANK OF AMERICA
TOTAL ALL BANKS	

DISBURSEMENTS

756,631.13
756,631.13



**MINUTES**  
**REGULAR CITY COUNCIL MEETING**  
**AND SAN DIMAS HOUSING AUTHORITY**  
**TUESDAY, NOVEMBER 12, 2013, 7:00 P. M.**  
**SAN DIMAS COUNCIL CHAMBERS**  
**245 E. BONITA AVENUE**

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**CITY COUNCIL:**

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

**STAFF**

City Manager Blaine Michaelis  
City Attorney Ken Brown  
Assistant City Manager of Community Development Larry Stevens  
Assistant City Manager of Administrative Services Ken Duran  
Director of Parks and Recreation Theresa Bruns  
Director of Public Works Krishna Patel  
Deputy City Clerk Debra Black  
Planning Associate Jennifer Williams

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

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

**2. RECOGNITIONS**

➤ Parking Enforcement Officer Joseph Hernandez

L.A. County Sheriff's Department Captain Rod Kush presented Parking Enforcement Officer Joseph Hernandez with a Sheriff's Department Proclamation.

**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.)

- 1) Frank Neal resident and one of the organizers of the Family Bicycle Day spoke of the success of event.
- 2) Cassidy Cuccia-Aguirre ASB President at San Dimas High School provided an update of the upcoming activities at the high school.
- 3) Amy Crow Manager of the San Dimas Library provided an update of the upcoming activities planned at the library.

- 4) Kimberly King resident shared her concerns over the continuing issues with the Trunk or Treat event held at Christ's Church of the Valley.
- 5) Richard White invited Council to the ROP Career Job Fair in West Covina.
  - 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 requests separate discussion.)

**MOTION:** It was moved by Councilmember Bertone seconded by Councilmember Ebner and carried to accept and approve the consent calendar as follows:

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

**RESOLUTION NO. 2013 - 53, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN DIMAS, CALIFORNIA, APPROVING CERTAIN DEMANDS FOR THE MONTHS OF OCTOBER AND NOVEMBER, 2013.**

- b. Approval of minutes for regular City Council meeting of October 22, 2013
- c. Approve application for grant funds for the Walnut Creek Habitat and Open Space Project – Phase 1

**RESOLUTION NO. 2013 - 54, RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN DIMAS, CALIFORNIA APPROVING THE APPLICATION FOR GRANT FUNDS FROM THE LOS ANGELES COUNTY REGIONAL PARK AND OPEN SPACE DISTRICT FOR FIFTH SUPERVISORIAL DISTRICT EXCESS FUNDING FOR THE WALNUT CREEK HABITAT AND OPEN SPACE PROJECT – PHASE 1**

- d. Youth Employment Plan Walnut Creek Habitat and Open Space Project – Phase 1

**RESOLUTION NO. 2013 – 55, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN DIMAS APPROVING A YOUTH EMPLOYMENT PLAN FOR THE WALNUT CREEK HABITAT AND OPEN SPACE PROJECT – PHASE 1**

- e. Denial of claim for Daniel Wong/Mercury Insurance
- f. Denial of claim for Robert R. Pereira/BP Development, Inc.

END OF CONSENT CALENDAR

#### 5. PUBLIC HEARINGS

- a. **MUNICIPAL CODE TEXT AMENDMENT 13-05** - Consideration of a Municipal Code Text Amendment to allow a limited number of household chickens in conjunction with a single-family detached residence in all residential zones and specific plans that allow single-family detached residential uses, and other minor miscellaneous edits.  
**FIRST READING AND INTRODUCTION**

**ORDINANCE NO. 1226 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN DIMAS ADOPTING MUNICIPAL CODE TEXT AMENDMENT 13-05, AMENDING CHAPTERS 18.08, 18.16, AND 18.20 OF THE SAN DIMAS MUNICIPAL ZONING CODE**

Associate Planner Jennifer Williams presented staff's report on this item and recommended adoption of MCTA 13-05.

Councilmember Bertone asked why staff recommended 5,000 sq. ft.

Associate Planner Williams answered that it allows a higher percentage of homes in the city to have chickens.

Councilmember Badar asked about the average square footage of the homes around the downtown area.

Associate Planner Williams answered that it is approximately 7500 sq. ft.

Councilmember Ebner asked if the setback at the back of the property would still be 5 ft. from property line.

Associate Planner Williams responded that in most cases it would.

Councilmember Ebner asked if the properties that back up to Arrow Highway were factored into the decision.

Associate Planner Williams responded that if the sheds for the chickens were under the size for the threshold for building permits residents would still be advised to meet the setbacks requirements.

Assistant City Manager Stevens added that sheds over six feet tall require building permits, less than six feet do not. He also stated that the Arrow Highway properties are standard single family zone and there is no rear yard requirement; but if some of the parcels are fewer 5,000 sq. ft. then they would not be allowed chickens unless an alteration was made to the minimum lot size standard.

Mayor Morris opened the public hearing.

- 1) Kris Tanner resident on Dakota thanked staff for working hard on the ordinance, asked Council to consider approval and shared that having the chickens would allow her to control what she feeds her high level special needs son.
- 2) Dr. Marvin Ersher recommended having a permit process with a sunset clause instead of a blanket approval for the entire city.

Mayor Morris closed the public hearing and brought the matter back to the Council.

Councilmember Ebner shared some of the benefits of having chickens and recommended changing the lot size to 4500 or 4750 and requiring a building permit for a chicken coop up to 7ft.

- 3) Cloud Rainbow Walker explained the hazards as well as the habits and social traits of owning chickens.
- 4) Dr. Ersher asked if the subject of salmonella had been discussed and if there would be any educational information about raising chickens shared with the public.

Mayor Morris stated that it had been discussed in the earlier stages of research and neither the Health department or anyone else has had anything to say on the subject.

Councilmember Ebner suggested that staff have some material available on the City's website.

Councilmember Bertone shared that he would be speaking with Assistant City Manager Ken Duran who is in the process of working with the Humane Society and updating the City's animal code and regulations.

Councilmember Badar shared that he is fine with the 3 chicken minimum but asked why staff chose 3.

Cloud Rainbow Walker stated that hens form pairing bonds and odd numbers don't work.

Associate Planner Williams explained that 3 would be in line with the minimum requirement for dogs and cats, etc.

Councilmember Ebner asked if there was an interest in lower the lot size to 4750 sq. ft. and amending the height of the chicken coop.

Templeman answered he didn't know what the benefit would be.

Councilmember Ebner responded that there could be a few more lots included.

The consensus was that 6 ft. for the chicken coop height and 5000 sq. ft. for the lot size would be appropriate.

**MOTION:** A motion was made by Councilmember Ebner seconded by Councilmember Bertone to waive further reading and introduce Ordinance 1226 M.C.T.A 13-05. The motion carried unanimously.

## 6. OTHER BUSINESS

- a. Request from Mr. Roger Jon Diamond to amend section 18.194.030 of the San Dimas Municipal Code to allow one medical marijuana dispensary to operate in the City – City Council direction

City Manager Blaine Michaelis gave a brief overview of the issue and background on the City's municipal code with a recommendation to deny the request.

Mr. Roger Diamond addressed Council with his request for exemption from the City Municipal Code for his client. Mr. Diamond stated the following in support of his request:

- California Law - cities do not have to exercise their authority to ban the facilities
- Some cities have already recognized the need for facilities
- 1996 voters legalized medical marijuana throughout the state
- To date no criminal or nuisance activity since the opening at the location
- Location is best place for this type of facility – owner of properties would not want other tenants bothered and would be in position to get rid of the dispensary- costs to regulate falls to property owner not the public
- Owner of center supports the use
- Under California Law the dispensary has to operate as a legitimate dispensary and those in the coop must get approval from a physician
- Petitions with some San Dimas residents in favor of dispensary
- Licensed private security guards

Mr. Diamond concluded by asking for the dispensary to operate for a month or two to see if problems arise, which he disputes and sees no evidence of.

Councilmember Badar asked Mr. Diamond if he saw a business permit at the location when he visited and did the operators try to obtain one.

Mr. Diamond responded by saying the city would not issue one and because they are volunteers not businessmen they did not know to go to the city to apply for a business permit.

Councilmember Bertone shared that he agrees with Mr. Diamond and believes that medical marijuana has a benefit but because it is against Federal Law cannot support this request.

Mr. Diamond cited cities and states where medical marijuana facilities have approved zones in which they are allowed to operate and there has been no Federal prosecution as long as they are in compliance.

Councilman Templeman asked if the use of marijuana allowed at this facility.

Mr. Diamond answered that there is no consumption at the facility.

Mr. Templeman then asked if consumption is prohibited.

Mr. Diamond replied there can be no consumption at the facility.

Councilmember Templeman shared information from writings of past Whittier Police Chief which compiled data from other police departments citing the problems that exist when these facilities are in neighborhoods.

Dr. Ersher asked Council to uphold the ordinance and deny the request.

Councilmember Ebner commented that he is not personally in favor of the issue and not inclined to approve the request; however with public opinion changing he could see this matter being reviewed in the future.

Emily Stillion shared an experience she had while visiting a shopping center in another city where she observed the security officers there for the marijuana dispensary and doesn't feel it would be a good look for our city.

Jim McCants spoke about his experience with owning property near a marijuana hothouse.

- b. Resolution No. 2013-56 providing a 2.5% increase in employee salaries

**RESOLUTION NO. 2013 – 56, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN DIMAS ADOPTING AND EXTENDING THE PAY PLAN AND REIMBURSEMENT SCHEDULE FOR CITY EMPLOYEES**

City Manager Blaine Michaelis presented staff's report and background on this item to the Council and recommended adoption.

Councilmember Templeman pointed out that this does not include Councilmembers.

**MOTION:** A motion was made to waive further reading and adopt Resolution 2013-56 by Councilmember Ebner and seconded by Councilmember Badar. The motion passed unanimously.

## **7. PLANNING**

- a. Introduction and first reading of Uniform Building Codes and set November 26, 2013 as date for public hearing and adoption.

**ORDINANCE NO. 1227, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN DIMAS AMENDING SPECIFIED CHAPTERS OF TITLE 15 OF THE SAN DIMAS MUNICIPAL CODE AND ADOPTING BY REFERENCE THE 2013 EDITION OF THE CALIFORNIA BUILDING CODE, VOLUMES 1 & 2, THE 2013 EDITION OF THE CALIFORNIA RESIDENTIAL CODE, THE 2013 EDITION OF THE CALIFORNIA ELECTRICAL CODE, THE 2013 EDITION OF THE CALIFORNIA MECHANICAL CODE, THE 2013 EDITION OF THE CALIFORNIA GREEN BUILDING STANDARDS CODE, TOGETHER WITH CERTAIN AMENDMENTS, ADDITIONS, DELETIONS, AND EXCEPTIONS, INCLUDING FEES AND PENALTIES. - FIRST READING AND INTRODUCTION**

Assistant City Manager of Development Services Larry Stevens announced that because of an error in the posted title of the ordinance, this item will be deferred to the November 26, 2013 meeting.

## **8. SAN DIMAS HOUSING AUTHORITY**

- a. San Dimas Housing Authority action to appropriate \$45,000 from Housing authority funds to supplement the city's housing rehabilitation program for 2013-14

City Manager Blaine Michaelis presented staff's report on this item and recommended approval.

**MOTION:** Motion to approve was made by Councilmember Templeman, seconded by Councilmember Ebner. Motion passed unanimously.

## **9. ORAL COMMUNICATIONS**

- a. Members of the Audience (*Speakers are limited to five (5) minutes or as may be determined by the Chair.*)
  - 1) Maura XX spoke on an issue her parents are having with a neighbor who is involved in the Humane Society's Trap and Release Program and asked that the city consider banning it.
- b. City Manager

Mayor's Call In show – November 14, 2013

c. City Attorney

Announcement of closed session.

d. Members of the City Council

- 1) Appointment to San Gabriel Valley Mosquito & Vector Control District Board

**MOTION:** A motion was made by Councilmember Bertone, and seconded by Mayor Morris to reappoint Councilmember Jeff Templeman. Motion passed unanimously.

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

Nothing to report.

- 3) Individual Members' comments and updates.

Councilmember Templeman commented that there were a lot of people who came out to support the HEROES' event.

The meeting adjourned at 9:12 p.m. to a closed session. The next meeting will be Tuesday, November 26, 2013 at 7:00 p.m.

## 10. CLOSED SESSION

a. Pursuant to Government Code Section 54956.9(d) (4)

Based on existing facts and circumstances the City Council will decide whether to initiate litigation regarding the medical marijuana dispensary at 146 E. Bonita Avenue

**ACTION:** The city council directed staff to make preparations and follow through as may be necessary to secure a civil injunction to close a medical marijuana dispensary at 146 East Bonita Avenue should the facility be open any time beyond November 15, 2013.

b. Pursuant to Government Code Section 54957

Consideration of City Attorney change of law firm and retainer agreement with Aleshire & Wynder

**ACTION:** The city council affirmed Kenneth J. Brown to continue his service as City Attorney for the city and accepted his new affiliation with the law firm of Aleshire & Wynder.

## 11. ADJOURNMENT

The closed session adjourned at 9:55 p.m.

Respectfully submitted,

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Debra Black Deputy City Clerk



**MINUTES**  
**SPECIAL CITY COUNCIL MEETING**  
**MONDAY, OCTOBER 28, 2013**  
**SAN DIMAS COUNCIL CHAMBERS**  
**CONFERENCE ROOM**  
**245 E. BONITA AVENUE**

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**PRESENT:**

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

City Manager Blaine Michaelis  
Assistant City Manager Ken Duran  
City Attorney Ken Brown  
Assistant City Manager for Community Development Larry Stevens  
Director of Public Works Krishna Patel  
Director of Parks and Recreation Theresa Bruns  
Capt. Don Slawson, Los Angeles County Sheriff's Department

**CALL TO ORDER**

Mayor Morris called the Special City Council Meeting to order at 5:00 p.m.

**1. DISCUSSION OF POLICY/APPROACH FOR CONSIDRATION OF REQUESTS FOR INCREASING DENSITY ON RESIDENTIAL AND OTHER PROPERTIES**

Mr. Michaelis explained that staff is experiencing more inquiries on potential increases in residential densities and would like a general discussion with the Council on their receptiveness on increasing densities.

Mr. Stevens reviewed his report and summarized that staff is seeking input from the Council on their level of support for the concept of increased density and not discussion on specific projects. He reviewed the factors that an applicant needs to consider from his staff report.

Mayor Pro Tem Bertone asked if meeting the State RHNA numbers is the driving force in considering higher density. Mr. Stevens responded that the City has adopted a strategy in the housing element to meet its RHNA goals in the next 8 year cycle, so the RHNA numbers obligation should not be a consideration.

Mr. Stevens shared two recent examples of requests for rezoning and increasing density as illustrations of the types of issues that are raised. One issue that he raised was the desire to have applicants evaluate surrounding property for inclusion in a broader project. There was discussion about the specific example in Specific Plan 23.

Councilman Templeman commented that in regards to the general question of allowing higher density he responds with a qualified yes, only in the right areas. Councilman Ebner added that he concurred that higher density might fit more when adjacent to retail to reduce vehicle traffic.

Mayor Morris commented that in the Specific Plan 23 example it may not make much sense to include adjacent property in the project.

Mr. Stevens reviewed a second example illustrating that it may be beneficial to look at a broader area and consider it as a master plan. There was discussion on the benefits and constraints of having a developer look at the larger project.

Mayor Pro Tem Bertone asked if increased density has a financial benefit to the City. Mr. Michaelis responded that because we are a low property tax city there is not much additional property tax benefit. He added that that should not be a consideration in making the land use decisions.

There was more general discussion on the topic of residential density. Mr. Stevens summarized the Council discussion as them not wanting to encourage wide spread densification but supportive to looking at applications on a case by case basis. He added that the Council also is supportive of staff encouraging applicants to look at larger projects during the pre-application process and encourages community discussions. He also added that the Council expressed a desire for staff to identify project areas that may be candidates for increased residential density and bring a list back for Council consideration.

In response to a question about what is considered high density Mr. Stevens explained the varying levels of density categories with examples. As an example of very high density Mr. Michaelis used an example of a portion of an existing commercial center development that could be changed to a higher density project. He explained a reason to allow for a higher density project could be to provide an incentive for a developer to redevelop an underutilized property. He explained a potential process to consider rezoning a site specific area with use of a development agreement. There was further discussion on the concept of redeveloping existing underutilized centers. Mr. Stevens added that another area that could be considered for higher density is the area around the future Gold Line station.

## **2. DISCUSSION ABOUT STRUGGLING SHOPPING CENTERS REGARDING APPROPRIATE CITY INTERACTIONS**

Councilmember Badar asked about the opportunities to assist with the declining Via Verde shopping center. Mr. Michaelis responded that staff has reached out to the property manager to offer to help with signage, etc., but have had no response from them. There was discussion on the tenants at the center and overall deferred maintenance.

Mr. Stevens reviewed his staff report identifying three choices in dealing with struggling centers in general. The first is to let the market forces let whatever happens happens. The second is to use incentives or regulatory relief to help improve what's there and the third is to consider other land uses for those sites. Mayor Morris commented that he thinks the City should start thinking about what kinds of changes in land uses for existing centers might be acceptable. There was discussion about the potentials for residential land uses for a portion of the San Dimas Station properties. There was further general discussion on struggling shopping centers.

Mr. Michaelis summarized that it seems the consensus of the Council is for the City to try and continue to work with existing shopping center owners to offer assistance to them. In response to a question regarding the status of the new Smart & Final store in the former Ralphs building, Mr. Stevens reported that Smart & Final has indicated that they seek changes from the design that has been approved. Senior Planner Espinosa provided a general update of the concerns of the applicant. Councilmember Templeman expressed concern that the City is cooperating with the applicant. Mr. Stevens added that staff will work closely with the applicant to get as good a design as we can.

**3. DISCUSSION REGARDING POTENTIAL CHANGES IN USES, MARKETING AND DISPOSITION OF FORMER REDEVELOPMENT PROPERTIES AT BONITA/CATARACT AND BONITA/EUCLA**

Mr. Michaelis asked for Council discussion on the potential for changes in land use for the Bonita/Cataract property. There was discussion regarding the current zoning for the property and ideas for alternative zoning. Several Councilmembers expressed they might be open to considering a mixed use development for the property. Mr. Duran explained the process for property disposition in the Successor Agency Long Range Property Management Plan. Mr. Michaelis added that another option the City may consider is appraising the property and then for the City to consider acquiring the property from the Successor Agency and then have complete control over the future zoning and development of the property. There was discussion on this approach and consideration for appraising the property to understand its value.

Mr. Duran reported that the Long Range Property Management Plan identifies that the highest and best use for the Bonita/Eucla property is in combination with one or more of the adjacent properties and it is recommended that the City pursue opportunities with those property owners. There was some discussion on the prior opportunities with this property.

**4. GOVERNMENT AND PUBLIC ACCESS TELEVISION DISCUSSION**

Mr. Duran reviewed his staff report on the history of the City's government access channel. He added that in the past some Councilmembers have asked for discussion on adding back the public programming component to the channel. Councilmember Ebner commented that he would like to see the ability for public programming. There was discussion on the pros and cons of adding the public programming. The consensus of the Council was to keep it a government/education access channel.

Mr. Duran asked for Council feedback the benefits of the channel. There was strong consensus that having the City Council meetings televised on the channel is very important. There was discussion regarding some of the other programming. There was discussion with the service quality with the channel and the general management of the channel. There was discussion regarding exploring changes to the programming and options for the future management of the channel. Staff was directed to explore possible changes to the programming on the channel and other potential management options. Staff responded they will discuss with the University of La Verne a shorter term agreement extension while they explore options.

**5. UPDATE ON THE PET FINDER PROGRAM**

Mr. Duran reviewed his staff report on the history of the lost and found pet project and how it would operate on the City's web site. He added that staff is finalizing the details and will have it available to the public in November. There was some concern expressed on the staff time involved in managing the project. Councilman Bertone asked that the Council continue to support the project to see if it can be successful.

**6. REPORT ON PROJECT TO ACHIEVE TECHNOLOGY IMPROVEMENTS FOR OUR FIELD STAFF**

Mr. Michaelis reported that staff is working on technology updates on project tracking and field capabilities. He added that staff has explored some options and needs some more time to refine them and will bring them back to the Council.

## **7. COUNCIL COMMENTS**

Councilmember Ebiner as what the next step is in the downtown revitalization. Mr. Michaelis responded that the decision on the downtown boardwalk had been deferred and staff was planning on bringing the discussion back to the Council in the spring as part of the budget discussions. Mr. Stevens added that it appears that the City will receive a SCAG grant to pay for a review of the downtown specific plan. Mr. Ebiner commented that he sees much more night time activity in other downtowns and provided some examples of restaurants in other cities. There was some discussion of the mix of businesses in the downtown and vacancy.

## **8. ORAL COMMUNICATIONS**

None.

## **9. ADJOURNMENT**

There being no further business Mayor Morris adjourned the meeting at 8:35 p.m.



**MINUTES**  
**SPECIAL CITY COUNCIL MEETING**  
**TUESDAY, OCTOBER 22, 2013, 5:30 P. M.**  
**SAN DIMAS COUNCIL CHAMBERS**  
**CONFERENCE ROOM**  
**245 E. BONITA AVENUE**

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**PRESENT:**

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

City Manager Blaine Michaelis  
Assistant City Manager Ken Duran  
City Attorney Ken Brown  
Assistant City Manager for Community Development Larry Stevens  
Director of Public Works Krishna Patel  
Director of Parks and Recreation Theresa Bruns  
Lt. Clay Anderson, Los Angeles County Sheriff's Department

**1. CALL TO ORDER**

Mayor Morris called the Special City Council Meeting to order at 5:30 p.m.

**2. ORAL COMMUNICATIONS**

- a. Members of the Audience

None.

**3. STUDY SESSION – Receive a report from staff – results from the 2012-13 financial audit. Act on recommendations from staff regarding the allocation of undesignated fund balance.**

Mr. Duran reviewed his staff report on the Report on 2012-13 Fiscal Year End. He reviewed the General Fund revenues for the year. In response to a question he explained the property tax and vehicle license fee distribution.

In response to question regarding traffic citations Lt. Anderson stated that a second patrol car has been dedicated as a primary traffic car. He added that this was done to address traffic issues; however, the car is still available for calls for service.

Mr. Duran reviewed the General Fund expenses for the year. Mr. Duran reviewed the summary of Special Funds from the staff report.

In response to a question Mr. Michaelis explained the loan repayments to the City and Walker House LLC from the former Redevelopment Agency for the Walker House renovation project and clarified that there is no outstanding City debt obligation for the project. Also in response to a question Mr. Michaelis explained that the bond obligation payment for the City Hall renovation is paid for as a General Fund expense and does not come from reserves.

In response to a question Mr. Patel explained the types of potential sewer projects are in the Sewer Fund.

Mr. Duran explained that the revenue from the voter approved parcel tax in the Landscape Parcel Tax Fund is not enough to pay for city wide landscape maintenance, with more and more general fund support required each year.

Mr. Duran explained the development fee allocation for the various Park Development Funds. He added that there will be a large infusion of fees from the Bonita Canyon Gateway project that could be used for Marchant Park improvements. Councilman Templeman suggested that if revenue is anticipated that maybe the Council should allocate money to begin the design portion of the restrooms. There was discussion on how to approach the decision on future improvements to Marchant Park.

In response to a question Mr. Michaelis explained the loan repayment arrangement to the General Fund from the Golf Course Fund for the Golf Course loans.

Mayor Pro Tem Bertone clarified that according to the All Funds Summary the total fund balance is \$26.8 million. Mr. Duran confirmed that as accurate but also clarified that \$14.9 million of that is for the General Fund.

Mr. Michaelis made a presentation regarding the beginning General Fund balance of \$13.9 million being 78% of general fund expenses. He suggested that the Council consider maintaining a General Fund balance of 78% which would then allow \$1,056,000 available for distribution to other Funds. He further suggested that the distribution be \$856,305 to Fund 12, the Infrastructure Fund; and \$200,000 to Fund 70, the Infrastructure Fund. He added that the Council hold off any distributions to Fund 20, Park Development at this time and monitor anticipated development fees rather than make an allocation now. There was discussion on the proposed General Fund reserve strategy and recommended distributions.

Mayor Pro Tem Bertone asked if funds are being set aside for the MS4 permit expenses. Mr. Michaelis responded that all of the current years anticipated expenses, mostly for planning, are included in the General Fund. Future expenses will have to be considered once those amounts are known.

Mayor Pro Tem Bertone asked about restoring some of the programs eliminated last year such as Project Sister. Mayor Morris suggested the Council consider restoring programs as a part of the budget process for next year.

Mr. Michaelis reviewed the recent historic General Fund balance summary. There was further discussion on the reserve fund balance. Councilman Badar made a motion to maintain the 78% General Fund fund balance and allocate \$856,305 to Fund 12 and \$200,000 to Fund 70. The motion was approved unanimously.

There was discussion on restroom and other improvements to Marchant Park. Staff was directed to begin to consider a plan to review future improvements to Marchant Park and bring back ideas to the Council.

There being no further business the meeting was adjourned at 6:50 p.m.

#### **4. ADJOURNMENT**

The Study Session adjourned at 6:55 p.m.



**ORDINANCE NO. 1226**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN DIMAS ADOPTING MUNICIPAL CODE TEXT AMENDMENT 13-05, AMENDING CHAPTERS 18.08, 18.16, AND 18.20 OF THE SAN DIMAS MUNICIPAL ZONING CODE

**THE CITY COUNCIL OF THE CITY OF SAN DIMAS DOES ORDAIN AS FOLLOWS:**

**SECTION 1.** Title 18, Chapters 8, 16, and 20 of the San Dimas Municipal Code shall be amended, as provided for in Exhibit "A"

**SECTION 2.** This Ordinance shall take effect 30 days after its final passage, and within 15 days after its passage the City Clerk shall cause it to be published in the Inland Valley Daily Bulletin, a newspaper of general circulation in the City of San Dimas hereby designated for that purpose.

**PASSED, APPROVED AND ADOPTED THIS 26<sup>th</sup> DAY OF November, 2013.**

\_\_\_\_\_  
Curt Morris, Mayor of the City of San Dimas

ATTEST:

\_\_\_\_\_  
Debra Black, Deputy City Clerk

I, DEBRA BLACK, DEPUTY CITY CLERK of the City of San Dimas, do hereby certify that Ordinance No. 1226 was regularly introduced at the regular meeting of the City Council on November 12, 2013, and was thereafter adopted and passed at the regular meeting of the City Council held on November 26<sup>th</sup>, 2013 by the following vote:

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

I DO FURTHER CERTIFY that within 15 days of the date of its passage, I caused a copy of Ordinance 1226 to be published in the Inland Valley Daily Bulletin.

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Debra Black, Deputy City Clerk

# EXHIBIT A

\*New text changes are in Blue and Underlined

\*Deleted text is in ~~Red and Strikethrough~~

## Definitions Section- Chapter 18.08

### 18.08.307 Household chickens.

“Household chickens” mean chickens maintained on the premise of a legally constructed single-family residential property as an incidental use of the property for pets or for egg-laying purposes only (no slaughter) for the sole use of the residents of the property (no selling or distribution of eggs). This definition expressly excludes roosters, ducks, geese, turkeys, peacocks and other similar noise-making fowl.

## Zoning Districts, Maps, and Boundaries- 18.16.040

### ~~18.16.040 Zoning of certain classifications of annexed territory:~~

~~Notwithstanding the provisions of Section 18.16.030, all land or territory annexed to the city after the effective date of the amendment codified in this section which is classified under the zoning ordinance of the county with a minimum area requirement of one acre or more may be used for those purposes permitted under the zone classification R-A-20,000 under the city zoning ordinance, and the zoning map shall be amended so as to indicate such land or territory as having such zoning designation.~~

~~(Ord. 61 § 1, 1962; Ord. 37 § 310, 1961)~~

## Residential Zones Generally- Chapter 18.20

### 18.20.010 Applicability.

As used in this chapter, “residential zones” means zones SF, SFA, SFDR, SFH, AL, MFD, MF-10, MF-15, MF-20 and those specific plans which permit or conditionally permit residential uses.

(Ord. 931 § 3, 1990; Ord. 37 § 201, 1961)

18.20.055 Roosters.

A person shall not keep or maintain any live rooster or rooster of any age in any residential zone, whether such rooster is kept or maintained for the personal use of the occupant or otherwise.

## 18.20.060 Animals.

A. Household pets may be kept in residential zones under the following conditions;

1. Such pets shall not be kept in such number or under such conditions that create a neighborhood nuisance from noise, odors, dust or appearance.
2. Not more than three adult dogs or cats or three similar domestic animals or three animals of any combination of the above may be kept.
3. Not more than three small animals, such as guinea pigs, rabbits or white mice may be kept.
4. Not more than fifteen birds ~~or fowl~~ shall be kept, none of which shall be ~~chickens~~ roosters, ducks, geese, turkeys, peacocks, or household chickens.
5. No venomous animals nor any animal that cannot be or is not actually prevented from invading or becoming a nuisance to neighboring premises may be kept.

B. In addition to other permitted animal uses in the respective zone, household chickens may be kept as an accessory use to a legally-established detached, single-family residence on a lot size of no less than 5,000 square feet in zones which permit single-family residential uses under the following conditions:

1. Not more than three chickens may be kept.
2. Such chickens shall not be kept under such conditions that create a neighborhood nuisance from noise, odors, dust, or appearance.
3. An appropriate coop enclosure shall be provided. Said coop shall not exceed six (6) feet in height or 120 square feet in area and shall comply with the setback requirements for accessory structures in their respective zone. The coop shall provide a minimum of 4 square feet of space per chicken and may not be located in front of the main building line. Chickens shall be kept in their coops from dusk until dawn. When allowed outside their coops, household chickens shall be kept within adequate fences no greater than six (6) feet in height so that they do not have access to neighboring property.
4. Feed for such animals shall be stored in rodent proof containers and feeders.

~~B. Provided further, however, in R-A zones in parcels of eleven thousand square feet or larger with a minimum width of eighty feet and containing not more than one dwelling unit, domestic animals in addition to the household pets as limited in subsection (A) of this section shall be permitted within the following limitations, and solely for the use of the family residing on the parcel:~~

- ~~1. Rabbits, not to exceed one buck and four does;~~
- ~~2. Fowl for meat purposes, not to exceed twenty-five;~~
- ~~3. Chickens for eggs, not to exceed twenty layers;~~
- ~~4. Calves, not to exceed one calf under two years of age, and none older;~~
- ~~5. Goats, not to exceed two milk goats and one young goat.~~

C. All animals shall be properly housed at a distance of not less than thirty-five feet from any residence, with the exception of household pets and household chickens, whose houses must comply with the setback standards of their respective zones. If allowed outside their houses, animals shall be kept within adequate fences so that they do not have access to neighboring property.

(Ord. 368 § 1, 1972; Ord. 120 § 2, 1964; Ord. 37 § 206, 1961)



# Agenda Item Staff Report

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

**From:** Blaine Michaelis, City Manager

**Initiated by:** Eric M. Beilstein, Superintendent of Building & Safety

**Subject:** **Ordinance 1227 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN DIMAS AMENDING SPECIFIED CHAPTERS OF TITLE 15 OF THE SAN DIMAS MUNICIPAL CODE AND ADOPTING BY REFERENCE THE 1997 UNIFORM ADMINISTRATIVE CODE, THE 2013 EDITION OF THE CALIFORNIA BUILDING CODE, VOLUMES 1 & 2, THE 2013 EDITION OF THE CALIFORNIA RESIDENTIAL CODE, THE 2013 EDITION OF THE CALIFORNIA PLUMBING CODE, THE 2013 EDITION OF THE CALIFORNIA ELECTRICAL CODE, THE 2013 EDITION OF THE CALIFORNIA MECHANICAL CODE, THE 2013 EDITION OF THE CALIFORNIA FIRE CODE, AND THE 2013 EDITION OF THE CALIFORNIA GREEN BUILDING STANDARDS CODE, TOGETHER WITH CERTAIN AMENDMENTS, ADDITIONS, DELETIONS, AND EXCEPTIONS, INCLUDING FEES AND PENALTIES**

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## SUMMARY

Amend Title 15 of the San Dimas Municipal Code (Buildings and Construction) by adopting by reference the 2013 Editions of the California Model Codes to regulate the construction, alteration, and occupancy of all buildings or structures in the City of San Dimas and be consistent with the California Health and Safety Code.

**BACKGROUND:** The California Health and Safety Code establishes a Building Standards Commission, whose duties include approval, codification, and publication of building standards in a triennial edition of the California Building Standards Code, commonly called Title 24 and also establishes a date that these codes become effective throughout the State. The effective date for this triennial edition is January 1, 2014.

The adoption of these codes would regulate the fabrication, construction, enlargement, alteration, repair, moving, removal, demolition, conversion, occupancy, equipment, use, height, area, or other improvements to real property; maintenance of all buildings or structures in the City of San Dimas; and provision for issuance of permits and collection of fees therefore.

The Building Standards Code does *not* include the adoption of procedural ordinances by a City or other agency related to civil, administrative, or criminal procedures and remedies available for enforcing code violations.

**RECOMMENDATION:**

Set for Public Hearing Ordinance 1227 to adopt by reference the 2013 editions of the California model codes with various additions, deletions and additional administrative provisions.

Eric M. Beilstein

**ORDINANCE NO. 1227**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN DIMAS AMENDING SPECIFIED CHAPTERS OF TITLE 15 OF THE SAN DIMAS MUNICIPAL CODE AND ADOPTING BY REFERENCE THE 1997 UNIFORM ADMINISTRATIVE CODE, THE 2013 EDITION OF THE CALIFORNIA BUILDING CODE, VOLUMES 1 & 2, THE 2013 EDITION OF THE CALIFORNIA RESIDENTIAL CODE, THE 2013 EDITION OF THE CALIFORNIA PLUMBING CODE, THE 2013 EDITION OF THE CALIFORNIA ELECTRICAL CODE, THE 2013 EDITION OF THE CALIFORNIA MECHANICAL CODE, THE 2013 EDITION OF THE CALIFORNIA FIRE CODE, AND THE 2013 EDITION OF THE CALIFORNIA GREEN BUILDING STANDARDS CODE, TOGETHER WITH CERTAIN AMENDMENTS, ADDITIONS, DELETIONS, AND EXCEPTIONS, INCLUDING FEES AND PENALTIES**

**WHEREAS**, the California Health and Safety Code establishes a Building Standards Commission, whose duties include approval, codification, and publication of building standards in a triennial edition of the California Building Standards Code, commonly called Title 24; and

**WHEREAS**, the Building Standards Commission also establishes a date that these codes become effective throughout the State; and

**WHEREAS**, the effective date for this triennial edition is January 1, 2014; and

**WHEREAS**, the adoption of these codes would regulate the fabrication, construction, enlargement, alteration, repair, moving, removal, demolition, conversion, occupancy, equipment, use, height, area, or other improvements to real property; maintenance of all buildings or structures in the City of San Dimas; and provision for issuance of permits and collection of fees therefore; and

**WHEREAS**, the Building Standards Code does *not* include the adoption of procedural ordinances by a City or other agency related to civil, administrative, or criminal procedures and remedies available for enforcing code violations.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SAN DIMAS DOES HEREBY ORDAIN AS FOLLOWS:**

**All references to a prior code shall mean to apply to the corresponding provisions of the newly adopted code.**

**Section 15.02.010** of the San Dimas Municipal Code is hereby repealed and replaced in its entirety as follows:

**15.02.010 Uniform Administrative Code**

Except as otherwise amended in this chapter, the 1997 Edition of the Uniform Administrative Code, as prepared by the International Conference of Building Officials, is adopted as the San Dimas Administrative Code and may be cited as such.

**15.02.020 Amendments.**

The following amendments are made to the San Dimas administrative code:

**Section 103, Definitions,** All references to a specific code shall be deemed to refer to the latest adopted San Dimas codes and standards.

**Section 204.1, General,** is amended to read as follows:

“In order to hear and decide appeals of orders, decisions or determinations made by the Building Official relative to the application and interpretation of the technical code, there shall be and is hereby created a board of appeals consisting of the members of the Development Plan Review Board. The building official shall be an ex officio member and shall act as secretary to said board but shall have no vote upon any matter before the board. The Board of Appeals shall be appointed by the governing body and shall hold office at its pleasure. The board shall adopt rules of procedure for conducting its business and shall render all decisions and findings in writing to the appellant with a duplicate copy to the building official.”

**Section 205, Violations,** is amended to read as follows:

“No person, firm or corporation, whether as owner, lessee, sublessee or occupant, shall erect, construct, enlarge, alter, repair, move, improve, remove, demolish, equip, use, occupy or maintain any building or premises, or cause or permit the same to be done contrary to or in violation of any of the provisions of said code or any order issued by the board of appeals or building official thereunder. Any person violating the provisions of this section is guilty of a misdemeanor or an infraction for each day such violation continues.”

**Section 301.2.1** is amended by deleting subsection (10) window awnings.

**Section 303** is amended by adding subsection 303.6 to read as follows:

“No building permit may be issued for any development unless the proposed construction is consistent with the GENERAL PLAN OF THE CITY OF SAN DIMAS.”

**Section 304.2, Permit Fees**, is amended to read as follows:

“Building permit fees shall be paid in the amount fixed from time to time by the City Council by resolution. The determination of value or valuation under any of the provisions of this code shall be made by the building official. The value to be used in computing the building permit and plan review fees shall be the total value of all construction work for which the permit is issued as well as all finish work, painting, roofing, electrical, plumbing, heating, air-conditioning, elevators, fire extinguishing systems and any other permanent equipment.”

**Section 304.3, Plan Review Fees**, is amended to read as follows:

“When a plan or other data are required to be submitted by Subsection (b) of Section 302, a plan review fee shall be paid at the time of submitting plans and specifications for review. The plan review fee shall be in the amount fixed from time to time by the City Council by resolution. When plans are incomplete or changed so as to require additional plan review, an additional plan review fee shall be paid.”

**Section 304.5.2, Fee** is hereby amended to read:

“An investigation fee, in addition to the permit fee, shall be collected whether or not a permit is then or subsequently issued. The investigation fee shall be equal to the amount of the permit fee required. The payment of such investigation fee shall not exempt the applicant from compliance with all other provisions of either this code or the technical codes nor from the penalty prescribed by law”.

**Chapter 3, Fee Tables 3-A through 3-H** are hereby deleted.

**Section 15.04.010** of the San Dimas Municipal Code is hereby repealed and replaced in its entirety as follows:

**15.04.010 Adoption.**

Except as provided in this Chapter, those certain building codes known and designated as the California Building Code, 2013 Edition, Volumes 1 and 2, including Appendix Chapters "C," Agricultural Buildings "F," Rodentproofing "I," Patio Covers and "J," Grading based on the 2012 International Building Code as published by the International Code Council, shall be and become the Building Codes of the City of San Dimas for regulating the construction, alteration, movement, enlargement, replacement, repair, equipment, use and occupancy, location, maintenance, removal and demolition of every buildings and/or structures

or any appurtenances connected or attached to such buildings or structures throughout the City. The California Building Code and its appendix chapters will be on file for public examination in the office of the Building Official.

**Section 15.04.020** of the San Dimas Municipal Code is hereby amended as follows:

**15.04.020 Amendments and additions**

The following section of the California Building Code (CBC) Chapter 1, "Scope and Administration, Division I, California Administration," is amended as follows:

**1.8.8 Appeals Board. Subsection 1.8.8** is hereby deleted in its entirety.

The following portions and sections of "Chapter 1, Scope and Administration, Division II, Scope and Administration" are hereby amended as follows:

The following language shall be added to Subsection 101.2 "Scope":

In order to properly maintain and safeguard healthful living conditions and comply with all provisions of the Building Codes, it is hereby declared unlawful to use any streetcars, boxcars, house cars, motor bus bodies, or similar means of conveyance or structures of similar nature of construction, for places of habitation, residence, or place of business in this City. However, nothing contained herein shall prohibit the use of any house trailer or mobile home for places of abode or habitation in an approved mobile home park, providing such structures comply with all other conditions and requirements of this Code.

The following language shall be added to Subsection 102.1 "General":

If any section, subsection, subdivision, paragraph, sentence, clause, or phrase of this Code or any part thereof is in conflict with the Fire Code, the most restrictive shall be applicable.

**Subsection 105.2** "Work exempt from permit" is hereby amended as follows:

Item 02 (Fences) under "Building" is hereby amended to read "Fences not over 6 feet high".

Item 04 (Retaining walls) under "Building" is hereby amended to read " Retaining walls

Item 10 (Shade cloth structures) under "Building" is hereby deleted in its entirety.

Item 12 (Window awnings) under "Building" is hereby deleted in its entirety.

**Subsection 105.3.2** "Time limitation of application" is hereby adopted and amended to read as follows:

Applications for which no permit is issued within 180 days following the date of application shall expire by limitation. Plans and other data submitted for review may thereafter be returned to the applicant or destroyed by the Building Official. The Building Official may extend the time for action by the applicant for a period not exceeding 180 days on written request by the applicant showing the circumstances beyond the control of the applicant having prevented action from being taken. An application shall not be extended more than once. An application shall not be extended if this Code or any other pertinent laws or ordinances have been amended subsequent to the date of application. In order to renew action on an application after expiration, the applicant shall resubmit plans and pay a new plan review fee. All plans submitted for review prior to the effective date of this Ordinance shall expire by limitation within 180 days of application with no extensions.

**Subsection 105.5** "Expiration" is hereby adopted and amended to read as follows:

Every permit issued by the Building Official under the provisions of the technical codes shall expire by limitation and become null and void, if the building or work authorized by such permit is not commenced within 180 days from the date of such permit, or if the building or work authorized by such permit is suspended or abandoned at any time after the work is commenced for a period of 180 days. Before such work can be recommenced, a new permit shall be first obtained to do so, and the fee therefore shall be one-half the amount required for a new permit for such work, provided no changes have been made or will be made in the original plans and specifications for such work, and provided further, that such suspension or abandonment has not exceeded one year. In order to renew action on a permit after expiration, the permittee shall pay a new full permit fee.

A permittee holding an unexpired permit may apply for an extension of the time within which work may commence under that permit when the permittee is unable to commence work within the time required by this Section for good and satisfactory reasons. The Building Official may extend the time for action by the permittee for a period not exceeding 180 days upon written request by the permittee showing that circumstances beyond the control of the permittee have prevented action from being taken. Permits shall not be extended more than once.

**Subsection 105.5.1** "Expiration of demolition permit" is hereby adopted and amended to read as follows:

A demolition permit shall expire by limitation and become null-and-void 60 days after the date on which the permit was issued. The Building Official may extend the validity of the permit for a period not exceeding 180 days beyond the initial 60 day limit upon written request by the applicant filed with the Building Official prior to the expiration date of the original permit.

**Subsection 105.5.2** "Expiration of permit for legalizing unpermitted structures" is hereby adopted and amended to read as follows:

Notwithstanding any provision of Section 105.5, if a building permit was issued in order to bring an unpermitted structure or other unlawful, substandard, or hazardous condition into compliance with any applicable law, ordinance, rule or regulation, such permit shall expire by limitation and become null-and-void 90 days after the date on which the permit was issued. The Building Official may extend the validity of the permit for a period not exceeding 90 days beyond the initial 90 day limit upon written request filed with the Building Official prior to the expiration date of the original permit.

**Subsection 107.5** "Retention of construction documents" is hereby amended by adding the following language:

Before final inspection, electronic images of all plans, engineering calculations, and records that are submitted for the purpose of obtaining a building permit shall be submitted at the request of the Building Official. Electronic images shall be based on the Building Division's Electronic Archiving Policy.

**Section 109** "Fees" is hereby adopted and amended as follows:

**Subsection 109.2** "Schedule of permit fees" is hereby amended by adding the following language:

When submittal documents are required by Section 302.2 of the Uniform Administrative Code, a plan review fee shall be paid at the time of submitting the submittal documents for plan review. The plan review fee shall be 100 percent of the building, electrical, mechanical and plumbing work permit fee as required in accordance with the fee schedule established by resolution of the City Council. When the City retains a private entity or person to perform plan review, the plan review fee shall be in an amount sufficient to defray the cost of such services, but in no case shall the plan review fee be less than the amount specified in this Section.

**Subsection 109.4** "Work commencing before permit issuance" is hereby deleted and replaced in its entirety as follows:

**109.4 Work commencing before permit issuance.** Whenever work for which a permit is required by this Code has been commenced without first obtaining a permit, a special investigation shall be made before a permit may be issued for such work. An investigation fee, in addition to the permit fee, shall be collected whether or not a permit is then or subsequently issued. The investigation fee shall be as required, as in accordance with the schedule as established by the applicable governing authority. The minimum investigation fee shall be the same as the minimum fee set forth in accordance with the schedule as established by the applicable governing authority (double fee). The payment of such investigation fee shall not exempt an applicant from compliance with all other provisions of either this Code or the technical codes nor from the penalty prescribed by law.

**Subsection 109.6** "Refunds" is hereby deleted and replaced in its entirety as follows:

**109.6 Refunds.** The Building Official may authorize up to 100 % refunding of a fee paid hereunder which was erroneously paid or collected. The Building Official may authorize refunding of not more than 80 percent of the permit fee paid when no work has been done under a permit issued in accordance with this Code. The Building Official may authorize refunding of not more than 80 percent of plan review fee has been paid when an application for a permit for which a plan review fee has been paid is withdrawn or cancelled before any examination time has been expanded. The Building Official shall not authorize the refunding of any fee paid except upon written request filed by the original permittee not later than 180 days after the date of payment.

**Section 110 "Inspections"** is adopted and amended by adding the following subsection:

**110.1.1 Workmanship.** It is the intention of the City that all construction carried on under the review of the Building Division is of good quality. The Building Official shall be empowered to enforce the installation of work that is straight, level, plumb, square, etc., as the situation requires. All work shall be well fit and of a durable nature. Paint in all cases shall not be below normal standard for the use applied. The proper grading of walks, drives, and yards shall be required when being installed with the work requiring a building permit. A minimum thickness of 3½ inches for flat concrete work and 2 inches for asphalt paving shall be required. All exterior flat concrete work shall include such breaks for expansion as deemed necessary by the Building Official.

**Subsection 110.3.5 "Lath and gypsum board inspection"** is hereby amended by deleting the "exception" in its entirety.

**Subsection 110.3.8 "Other inspections"** is hereby amended by adding the following language:

A reinspection fee may be assessed for each inspection or reinspection when such portion of work for which inspection is called is not complete or when corrections called for are not made. This section is not to be interpreted as requiring reinspection fees the first time a job is rejected for failure to comply with the requirements of the technical codes but as controlling the practice of calling for inspections before the job is ready for such inspection or reinspection. To obtain a reinspection, the applicant shall file an application therefore in writing upon a form furnished for that purpose and pay the reinspection fee in accordance with a fee schedule adopted by this jurisdiction. In instances where reinspection fees have been assessed, additional inspection of the work will not be performed until the required fees have been paid.

**Subsection 110.5 "Inspection requests"** is hereby deleted and replaced in its entirety as follows:

**110.5 Inspection requests.** It shall be the duty of the person doing the work authorized by the permit to notify the Building Official that such work is ready for inspection. The Building Official may require that every request for inspection be filed at least one working day before such inspection is desired. Such request may be requested in writing or by telephone at the option of the Building

Official. It shall be the duty of the person requesting any inspections required by either this Code or the technical codes to provide access to and means for inspection of the work.

**Section 111** "Certificate of Occupancy" is hereby adopted and amended by adding the following subsection:

**111.5 Utility release.** The following minimum requirements shall be completed prior to any occupancy or utilities connected:

- (1) Written clearance from the Fire and Public Works Departments and Planning and Business License Divisions.
- (2) The following when applicable:
  - (a) Electronic imaging of plans received (if required).
  - (b) Verification of school fees paid.
  - (c) Grading certificate received.
  - (d) All plan review fees paid.
  - (e) Sewer assessment fees paid.
  - (f) Hazard materials statements received.
  - (g) Subcontractor's list received.

The following sections of the California Building Code (CBC), are amended as follows:

**Section 3109.4.1 Barrier height and clearances** is amended to read as follows:

The top of the barrier shall be at least 60 inches above grade measured on the side of the barrier that faces away from the swimming pool. The maximum vertical clearance between grade and the bottom of the barrier shall be 2 inches measured on the side of the barrier that faces away from the swimming pool. Where the top of the pool structures is above grade, the barrier is authorized to be at ground level or mounted on top of the pool structure, and the maximum vertical clearance between the top of the pool structure and the bottom of the barrier shall be 4 inches.

**Appendix I Section I104.2 Footings** is eliminated in its entirety.

**Appendix J Section J103.2** Exception (1) is amended to read:

Grading in an isolated, self-contained area, provided there is no danger to the public, that such grading will not adversely affect adjoining properties, and is less than a total of fifty (50) cubic yards (cut and fill).

**Section J110 Erosion Control** is hereby amended by adding:

J 110.3 Stormwater Management and Discharge. All construction sites are subject to the latest requirements of the City of San Dimas enforced National Pollution Discharge Elimination System (NPDES), Best Management Practices (BMPs), and applicable pollution control and erosion protection measures pursuant to Chapter 14.11 of the San Dimas Municipal Code.

**Section 15.44.010** of the San Dimas Municipal Code is hereby repealed and replaced in its entirety as follows:

**15.44.010 Adoption.**

Except as provided in this Chapter, the California Electrical Code, 2013 Edition, based on the 2012 National Electrical Code as published by the National Fire Protection Association, shall be and become the Electrical Code of the City of San Dimas, regulating all installation, arrangement, alteration, repair, use, and other operation of electrical wiring, connections, fixtures, and other electrical appliances on premises within the City. The California Electrical Code is on file for public examination in the office of the Building Official.

**Chapter 15.46** is hereby added to Title 10 ("Buildings and Construction") of the San Dimas Municipal Code to read as follows:

**Chapter 15.46**

**GREEN BUILDING STANDARDS CODE**

**Sections:**

**15.46.010 Adoption.**

**15.46.020 Green Building Standards Code amendments.**

**15.46.010 Adoption.**

Except as provided in this Chapter, the California Green Standards Code, 2013 Edition as published by the California Building Standards Commission, shall be and become the Green Building Standards Code of the City, regulating and controlling the planning, design, operation, use and occupancy of every newly constructed building or structure in the City. The California Green Building Standards Code shall be on file for public examination in the office of the Building Official.

**15.46.020 Green Building Standards Code amendments.**

The 2013 Edition of the California Green Building Standards Code is hereby adopted with no amendments.

**Sections 15.28.010 and 15.28.020** of the San Dimas Municipal Code are hereby repealed and replaced in their entirety as follows:

**15.28.010 Adoption.**

Except as provided in this Chapter, the California Mechanical Code, 2013 Edition, based on the 2012 Uniform Mechanical Code as published by the International Association of Plumbing and Mechanical Officials (IAPMO), shall be and become the Mechanical Code of the City, regulating and controlling the design, construction, installation, quality of materials, location, operation, and maintenance of heating, ventilating, cooling, refrigeration systems, incinerators, and other miscellaneous heat-producing appliances. The California Mechanical Code is on file for public examination in the office of the Building Official.

**15.28.020 Mechanical Code amendments.**

The 2013 Edition of the California Mechanical Code is hereby adopted with no amendments.

**Sections 15.48.010 and 15.48.020** of the San Dimas Municipal Code are hereby repealed and replaced in their entirety as follows:

**15.48.010 Adoption.**

Except as provided in this chapter, the California Plumbing Code, 2013 Edition, based on the 2012 Uniform Plumbing Code as published by the International Association of Plumbing and Mechanical Officials (IAPMO), shall be and become the Plumbing Code of the City of San Dimas, regulating erection, installation, alteration, repair, relocation, replacement, maintenance, or use of plumbing systems within the City. The California Plumbing Code will be on file for public examination in the office of the Building Official.

**15.48.020 Plumbing Code amendments.**

The 2010 Edition of the California Plumbing Code is adopted with no amendments.

**Chapter 10.50** is hereby added to Title 15 ("Buildings and Construction") of the San Dimas Municipal Code to read as follows:

**Chapter 15.50**  
**RESIDENTIAL CODE**

**Sections:**

- 15.50.010 Adoption.**
- 15.50.020 Residential Code amendments.**

**15.50.010 Adoption.**

Except as provided in this Chapter, the California Residential Code, 2013 Edition, based on the 2012 International Residential Code, as published by the California Building Standards Commission, shall be and become the Residential Building Code of the City, regulating construction, alteration, movement, enlargement, replacement, repair, equipment, use and occupancy, location, maintenance, removal and demolition of every detached one- and two-family dwelling and townhouse not more than three stories above grade in height with a separate means of egress and structures accessory thereto in the City. The California Residential Code will be on file for public examination in the office of the Building Official.

**10.50.020 Residential Code amendments.**

The following portions and sections of Chapter 1, Scope and Application, Division I "California Administration," and Division II "Administration" are hereby amended as follows:

**1.8.4.1** Permits Exception  
2 is hereby deleted in its entirety.

**1.8.8** Appeals Board. Section 1.8.8 is hereby deleted in its entirety.

**1.8.9** Unsafe Buildings or Structures. Section 1.8.9 is hereby deleted in its entirety.

**Section R105** "Permits" is hereby amended as follows:

Item 9 (fences) under "Building" is hereby amended to read "Fences not over 6 feet high".

Item 9 (window awnings) under "Building" is hereby deleted in its entirety.

**Section R109** "Inspection" is hereby adopted and amended by adding the following subsection:

**R109.0.1 Workmanship.** It is the intention of the City that all construction carried on under the review of the Building Division is of good quality. The Building Official shall be empowered to enforce the installation of work that is straight, level, plumb, square, etc., as the situation requires. All work shall be well fit and of a durable nature. Paint in all cases shall not be

below normal standard for the use applied. The proper grading of walks, drives, and yards shall be required when being installed with the work requiring a building permit. A minimum thickness of 3½ inches for flat concrete work and 2 inches for asphalt paving shall be required. All exterior flat concrete work shall include such breaks for expansion as deemed necessary by the Building Official.

**Subsection R109.1.5** "Other inspections" is hereby amended by adding the following language:

A reinspection fee may be assessed for each inspection or reinspection when such portion of work for which inspection is called is not complete or when corrections called for are not made. This section is not to be interpreted as requiring reinspection fees the first time a job is rejected for failure to comply with the requirements of the technical codes but as controlling the practice of calling for inspections before the job is ready for such inspection or reinspection. To obtain a reinspection, the applicant shall file an application therefore in writing upon a form furnished for that purpose and pay the reinspection fee in accordance with a fee schedule adopted by this jurisdiction. In instances where reinspection fees have been assessed, additional inspection of the work will not be performed until the required fees have been paid.

**Chapter 10.51** is hereby added to Title 15 ("Buildings and Construction") of the San Dimas Municipal Code to read as follows:

## **Chapter 15.51**

### **FIRE CODE**

#### **Sections:**

#### **15.51.010 Adoption.**

Except as provided in this Chapter, the California Fire Code, 2013 Edition, based on the 2012 International Fire Code, as published by the California Building Standards Commission, shall be and become the Fire Code of the City, regulating and governing the safeguarding of life and property from fire and explosion hazards arising from the storage, handling, and use of hazardous substances, materials and devices, and from conditions hazardous to life or property in the occupancy of buildings and premises in the City. The California Fire Code will be on file for public examination in the office of the Building Official.

#### **Severability.**

If any section, subsection, subdivision, paragraph, sentence, clause, or phrase of this Ordinance or any part thereof is for any reason held to be

unconstitutional, such decision shall not affect the validity of the remaining portion of this Ordinance or any part thereof. The City Council hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause, or phrase thereof, irrespective of the fact that any one or more sections, subsections, subdivisions, paragraphs, sentences, clauses, or phrases be declared unconstitutional.

**Effective Date.**

This Ordinance shall be in full force and effect thirty (30) days after passage.

**Posting.**

The City Clerk shall certify to the passage of this Ordinance and cause the same to be posted pursuant to Government Code Section 36933.

**APPROVED AND ADOPTED** this XX day of XX, 2013.

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Curtis W. Morris, Mayor City of San Dimas

**ATTEST:**

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Debra Black, Deputy City Clerk

I, Debra Black, Deputy City Clerk of the City of San Dimas, DO HEREBY CERTIFY that the foregoing is a true and correct copy of **Ordinance No. 1227** of said City, which was introduced at a regular meeting of the City Council held on the 26<sup>th</sup> day of November, 2013, and finally passed not less than five (5) days thereafter on the XX day of XX, 2013, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

---

Debra Black, Deputy City Clerk



# Agenda Item Staff Report

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

**FROM:** Blaine Michaelis, City Manager

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

**SUBJECT:** Extension of the Agreement with the University of La Verne for the Management of the City's Government/Education Access Channel

## **BACKGROUND**

Since January 2009 the City has contracted with the University of La Verne (ULV) to manage the City's government access channel, KWST. ULV took over the management of the channel in January 2009 under a one year Agreement for a total amount of \$57,226. The Agreement was renewed in 2010 and was also extended to June 30, 2011 for a pro-rated annual amount of \$66,526. In June 2011 and September 2011 the City Council approved three month extensions collectively expiring in December 31, 2011. In December 2011 the Agreement was again renewed for another year with an annual contract amount of \$70,000. The Agreement was last extended in December 2012 for one year with an annual contract amount of \$75,000.

The Agreement with ULV provides for them to manage the complete operations of the City's Government/Education Access channel, KWST. This includes producing programming, providing support, technical expertise and general oversight necessary to operate and maintain the channel. The Agreement requires ULV to provide the staff necessary to manage the channel and produce a specified number of programs. The staffing includes part-time staff including Station Manager, Production Coordinator, Assistant Programmer and Video Production Specialist. In total the level of paid staffing equates to 65 hours per week. In addition, ULV utilizes a number of volunteers to assist with productions, many of whom are ULV students. ULV also provides an office and production studio housed at the University. Other costs associated with the operations that are included in the Agreement include the office and studio rent, small equipment purchases, equipment maintenance, incidental supplies and music license fees. Major equipment purchases are the responsibility of the City outside of the Agreement.

The Agreement requires a specified amount of programming. A partial list of programs produced this past year includes all City Council meetings; Ask the

Mayor programs; State of the City address; Festival of Arts shows; Music in the Park; Western Days events – parade, rodeo, Little Miss San Dimas; San Dimas Day at the Fair; City Birthday; high school athletic events and school musical performances. In addition ULV acquires programming from other sources such as Bonita Unified School District and the University of La Verne.

## **ANALYSIS**

At the recent City Council Retreat on October 28<sup>th</sup> the City Council had a discussion regarding the City's access channel, content and management. The Council consensus was to keep the channel as government/education and not expand it to public access programming. The Council also directed staff to review the current program content of the channel and also to analyze the management options. This review and analysis will take some time and in the meantime there is a need for the continued management and programming of the channel.

Staff has had discussions with the Station Manger about extending the existing Agreement with ULV while staff conducts its reviews. ULV has offered to extend the Agreement for the same annual amount of \$75,000. There was discussion with the Manager for a shorter than one year extension, however, it was agreed that a one year extension, with the existing 90 day cancellation clause gives the City flexibility should the City decide to makes changes.

The City collects a PEG fee from all cable subscribers in the City to support the access channel. It is anticipated that the total amount collected this year will be \$82,000. This fee is used to offset a portion of the contract amount with ULV, approximately \$67,000, as well as for the purchase of equipment to support the channel. The balance of the contract amount for ULV comes from the General Fund.

## **RECOMMENDATION**

Staff recommends the extension of the Agreement with ULV for the management of the City's Government/Education Access channel for the amount of \$75,000 for a one year term, with the understanding that there is a 90 day cancellation clause.

# **AGREEMENT**

AN AGREEMENT BETWEEN THE CITY OF SAN DIMAS AND THE UNIVERSITY OF LA VERNE REGARDING OPERATION OF THE SAN DIMAS CABLE TELEVISION COMMUNITY ACCESS CHANNEL, KWST

THIS AGREEMENT is entered into by and between the City of San Dimas, hereinafter referred to as "City" and the University of La Verne, hereinafter referred to as "University".

## **RECITALS**

WHEREAS, a cable television community access channel, known as KWST, is available for educational and governmental programming; and

WHEREAS, the operation of a community access channel entails considerable television production and promotion activity which requires specialized technical expertise, human resources and equipment; and

WHEREAS, the University possesses the necessary specialized technical expertise and human resources for the operation of an active television production program; and

WHEREAS, it is in the best interests of the City and the University to continue to pool resources to maximize public utilization of the community access channel and cable television related educational opportunities;

NOW, THEREFORE, the City and the University desire to enter into a partnership through this renewal agreement setting forth the terms and conditions for the operation of San Dimas' cable television community access channel.

## **I. STATEMENT OF PURPOSE**

KWST is a cable television community access channel for dissemination of educational and governmental programming.

## **II. OBLIGATIONS OF THE UNIVERSITY OF LA VERNE**

1. University is obligated to provide the necessary specialized technical expertise and human resources for the operation of the community access channel, known as KWST, in accordance with the Scope of Work detailed in exhibit "A".

### **III. OBLIGATIONS OF THE CITY OF SAN DIMAS**

1. The City shall pay the University a sum of \$75,000.00 during the term of this Agreement based upon the budget submitted by the University included as exhibit "A". A start-up payment of \$37,500.00 shall be due at the time of execution of the agreement. The balance shall be due six (6) months from the date of execution. Payments should be mailed to:

University of La Verne  
Attn: Department of Treasury, Management and Budget  
1950 Third Street  
La Verne, CA 91750

2. The City will maintain, and replace if needed, the computer system and playout decks used to operate KWST Channel 3 and its community message board.

### **IV. INDEMNIFICATION:** Mutual Hold Harmless between the parties of this agreement:

University agrees to indemnify, defend, and hold harmless City, its officers, agents and employees against any claim, liability, loss, injury or damage imposed on City arising out of the University's performance on this Agreement, except for liability resulting from the negligent or willful misconduct of City, its officers, agents and employees. University shall reimburse City for costs, attorney's fees, expenses and liabilities associated with this agreement but only in proportion to and to the extent such liability, loss, expense, attorneys' fees, or claims for injury or damages are caused by or result from the negligent or willful misconduct of University, its officers, employees or agents. University shall seek City approval of any settlement that could adversely affect the City, its officers, agents or employees.

City agrees to indemnify, defend, and hold harmless University, its officers, agents and employees against any claim, liability, loss, injury or damage imposed on University arising out of City's performance on this Agreement, except for liability resulting from the negligent or willful misconduct of University, its officers, agents and employees. City shall reimburse University for costs, attorney's fees, expenses and liabilities associated with this agreement but only in proportion to and to the extent such liability, loss, expense, attorneys' fees, or claims for injury or damages are caused by or result from

the negligent or willful misconduct of City, its officers, employees or agents. City shall seek University's approval of any settlement that could adversely affect University, its officers, agents or employees.

## **V. INSURANCE**

The University will, during the life of this Agreement, maintain a comprehensive policy of combined single limit general liability insurance with minimum coverage limits of \$1,000,000 per occurrence for bodily injury, personal injury, property damage and automobile liability. The University will annually provide the City with a certificate or insurance naming the City, its elected or appointed officials, employees and volunteers as additional insureds.

The University also agrees to maintain, at its own cost and expense Workers' Compensation insurance in amounts required by State law.

## **VI. NOTICE**

Any notice, demand, request, consent, approval designation, or other communication which either party is required to, desires to give or make or communicate to the other party, shall be in writing and shall be personally delivered or sent by registered or certified mail, postage prepaid, return receipt requested, at the following addresses:

**CITY:** City of San Dimas  
Attn: City Manager  
245 E. Bonita Ave.  
San Dimas, CA 91773

**UNIVERSITY:** University of La Verne  
Attn: Office of Sponsored Research  
1950 Third Street  
La Verne, CA 91750

## **VII. DISPUTE RESOLUTION**

- A. If, from time to time, disputes arise which are not resolved through the efforts of the University's and City's representatives, then it is the intent of the parties to this agreement, to provide the following procedure to resolve disputes relative to items of interpretation of the provisions of this agreement. In the event of such a dispute,

the City Manager and the University President, or their designee, shall meet to discuss the issues in an effort to resolve the dispute.

- B. All unresolved disputes, claims, or other matters in question arising out of or relating to this agreement or breach thereof may ultimately be decided by means of legal action provided by California State law. Any attorney's fees and associated costs arising from such legal action shall be paid in accordance with the legal ruling.

## **VII. TERM**

This agreement shall be in effect for a period of one year commencing with the execution of the Agreement by the City and the University. This Agreement may only be altered, amended, or modified by written instrument executed by both Parties. The Parties agree to waive any right to claim, contest, or assert that this Agreement was modified, canceled, superseded, or altered by oral agreement, course of conduct, waiver, or estoppel.. This Agreement may be terminated during the term of the Agreement upon ninety (90) days written notice from either party, with or without cause.

## **VIII. SUCCESSORS AND ASSIGNS**

All representations, covenants, and warranties set forth by, on behalf of, or for the benefit of either Party herein shall be binding upon and inure to the benefit of such Party and its successors and assigns.

## **IX. SEVERABILITY**

If any one or more of the provisions of this Agreement is held to be invalid, illegal, or unenforceable, then such provision or provisions shall be severed from the Agreement, and the remaining provisions of the Agreement shall continue in full force and effect and shall not be affected, impaired, or invalidated in any way.

## **X. Force Majeure**

University shall not be liable for any failure to perform as required by this Agreement, to the extent such failure to perform is caused by any of the following to a substantial degree: labor disturbances, accidents, failures of any required governmental approval, civil disorders, acts of aggression, acts of God, energy or other conservation measures, failure of utilities, mechanical breakdown, material shortages, disease, or similar occurrences.

## **XI. AUTHORITY**

The Parties warrant and represent that they have the authority to enter into this Agreement in the names, titles, and capacities stated herein and on behalf of the entities, persons, or firms named herein and that all legal requirements to enter into this Agreement have been fulfilled.

**IN WITNESS WHEREOF**, the parties have executed this Agreement as of the date hereof

**CITY OF SAN DIMAS**

**UNIVERSITY OF LA VERNE**

Date: \_\_\_\_\_

Date: \_\_\_\_\_

By: \_\_\_\_\_

City Manager

By: \_\_\_\_\_

T. Gregory Dewey, Provost

ATTEST:

\_\_\_\_\_

City Clerk

## Exhibit A – Scope of Work

University of La Verne (University) will employ a Community Access Coordinator/Producer who will

- coordinate, encourage and facilitate community access activities during a flexible work schedule that extends into the evening hours, with regular studio hours at the University studio;
- purchase store and maintain security of community access equipment and supplies inventory;
- produce governmental programs as requested or authorized by the City (a list of the minimum annual programs is listed below); and
- provide KWST Channel 3 information on the Internet with links to the City's web site that provides easy access to programming schedules, community access resources and other community information of interest to residents.

In addition to the above listed duties to be performed by the Community Access Coordinator/Producer, the University shall perform the following functions:

1. Perform daily cable casting playout function between the hours of 2:00 p.m. and 10:00 p.m., throughout the year;
2. Operate and maintain the KWST Channel 3 community message board;
3. Develop and distribute the KWST Channel 3 programming schedule on the community message board and on the KWST website;
4. Maintain an up-to-date inventory listing of all publicly owned KWST equipment and supplies to be submitted to the City Finance office annually by August 15<sup>th</sup>;
5. Prepare quarterly reports of KWST operations;
6. Acquire technical equipment for the operation of the community access channel, with prior approval of the City Manager or designee; and
7. Maintain the KWST website.

### *Minimum Annual Programs*

- City Council Meetings – Live broadcast on the second and fourth Tuesdays of each month at 7:00 p.m. for a duration of approximately 1.5 to 4 hours
- Ask the Mayor – Live call-in show on the second and fourth Thursdays of each month, 7:00 p.m. – 8:00 p.m.

As well as the following events:

- San Dimas Rodeo on the first weekend in October, time to be announced
- Western Days Parade on the first Saturday in October, time to be announced
- Little Miss San Dimas Pageant
- Festival of Arts Western Arts Show on the last Saturday in April, live feed from 9:00 a.m. to noon
- Wildlife Art Show
- Smudgepot Football
- Mayor's Annual State of the City Address Luncheon in January, date and time to be announced
- San Dimas Day at the Fair

In addition, other events of community interest and import will be filmed/broadcast as time and funding allow, possibly including, but not limited to, the following:

- Elementary School Choral Concerts, Winter and Spring
- Music in the Park Concerts
- Select High School Music/Theater Events
- Select High School Sporting Events

### Budget Information

#### *Personnel Costs*

Funds will support supplemental salary for the Station Manager, as well as hourly wages for the Community Access Coordinator/Producer, an Assistant Programmer, and a part-time Project/Production Assistant, and related fringe benefits for these positions. Rates of pay and fringe benefits are budgeted in accordance with University of La Verne policy.

#### *Non-personnel costs*

These costs may include the following:

- Videotape costs
- DVDs
- DVD cases

- Stationary/postage/office supplies
- Video supplies
- Music license fee
- Crew food
- Small equipment purchase
- Equipment maintenance
- Membership dues
- Regional conference travel



# Agenda Item Staff Report

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

**FROM:** Blaine Michaelis, City Manager

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

**SUBJECT:** Request from Waste Management for Refuse Service Rate Increase

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## **SUMMARY**

*The City's franchise agreement with Waste Management allows for an annual rate adjustment based upon a formula factoring in changes to the Consumer Price Index (CPI), fuel cost index and landfill and disposal costs. The formula calculates to a 0.30% increase. Waste Management is opting to defer the increase for residential customers until 2015, but requesting the increase for commercial customers. It is recommended that the Council approve Waste Management's request for the rate increase pursuant to the terms of the agreement.*

## **BACKGROUND**

The existing solid waste franchise agreement with Waste Management (WM) went into effect in February 2008. The adoption of the Agreement at that time included an 8% increase to rates for all services.

The Agreement also included a second automatic increase that was scheduled to become effective January 2009. As Council will recall when Council discussed the January increase there was also a discrepancy over the elimination of the commercial additional container discount. The action taken by the Council in November 2008 was to approve the 8% increase effective January 2009 and revisit an additional 4% increase upon WM's completion of a commercial recycling audit. WM completed the audit in April 2009 and the Council approved the additional 4% increase effective June 2009.

The Agreement also has a rate adjustment formula for annual rate adjustments beginning January 2010. The formula is based upon three weighted components; a service component based upon the annual Consumer Price Index (CPI), fuel component based upon a fuel cost index and disposal component based upon landfill and disposal costs. Each component is weighted and makes up a percentage of the overall rate adjustment formula.

In 2010 the formula calculation resulted in a rate increase of less than 1%, at which time Waste Management decided to forgo requesting an increase for that year. In 2011 the increase was 1.33%, in 2012 the increase was 3.4% and in 2013 the increase was 1.35%, all based upon the formula.

The formula for this year's adjustment request is as follows:

**Rate Component Annual Change Assumptions:**

	Sep-12	Sep-13	Index Change	Percent of Change
CPI - Service Component	238.10	239.61	1.51	0.63%
DOE On Highway Diesel - Fuel Component	4.46	4.21	(0.25)	-5.54%
Disposal				0.91%

Rate Component	Adjustment due to change in indices/change in disposal fees	Relative Weight of Rate	Weighted Rate Adjustment Percentage
Service Component (75% of CPI)	0.47%	65%	0.31%
Fuel Component	-5.54%	5%	-0.28%
Disposal Component	0.91%	30%	0.27%
Total		100%	0.30%

**Using Current Rate of \$25.41**

Current Rate	\$26.62
Rate Increase%	0.30%
Rate \$ Increase	\$0.08
Adjusted Rate	\$26.70

Based on 64-gallon

As is illustrated in the chart the Service Component change is .63% which is the September year to year Cost of Living Index increase. The Fuel component decreased by -5.54% based upon the year to year changes in the California No 2 Diesel Retail Sales Index. The Disposal Component is based upon the actual increase or decrease in disposal costs for each of the disposal or transfer

facilities used and weighted based upon the percentage of waste disposed at each facility. The following chart illustrates the volume of waste taken to each disposal facility:

<b>Grand Total</b>				
	Puente Hills	Puente Hills ADC	Valley Vista	Valley Vista GW
Tons	<b>646.40</b>	<b>3,450.69</b>	<b>22,417.11</b>	<b>2,244.19</b>
Percent of Total Tons	<b>2.25%</b>	<b>12.00%</b>	<b>77.95%</b>	<b>7.80%</b>

The combined result factoring the various facilities used resulted in a 0.92% change for the disposal component.

Factoring in all three of those weighted components results in the rate increase of 0.30%. As is illustrated in the example above the actual amount of the increase for an average residential customer with a 64 gallon container would be \$0.08 per month. Therefore as indicated in the request letter WM intends to hold any increase for residential customers until the 2015 rate review period.

A commercial customer with a 3 yd. container serviced once per week would experience a \$0.48 per month increase and customer with a 3 yd. bin serviced five days a week would experience a \$1.70 per month increase.

In addition to the 0.30% commercial rate increase WM is requesting approval of adding rates for locking bin service which currently is not included in the approved rate schedule. The service is currently available and provided to some customers but does not have an associated fee. The proposed fees are as follows:

- Locking lid - \$10.87 Per bin per month
- Lock replacement – \$29.57 per lock unit
- Lock key replacement - \$5.93 per key unit

## **ANALYSIS**

Staff has reviewed the indices data and formula methodology and finds them in compliance with the Agreement. The weighted formula appears to be a fair methodology to allow the rates to reflect the actual increases and decreases in the cost for providing the solid waste services. The Consumer Price Index did increase by .30% from September 2012 to 2013. The fuel index did decrease during this period. The disposal component is based upon the actual increase or decrease in the disposal costs for each of the disposal or transfer facilities used and weighted based upon the percentage of waste disposed at each facility.

Rates for Puente Hills alternative daily cover, and the Valley Vista transfer station had slight increases resulting in a 0.91% overall increase in disposal. Therefore, the resulting 0.30% increase appears to meet the requirements of the rate increase formula identified in the Agreement.

Staff has reviewed the request for the addition of the locking lid fees. Staff surveyed several surrounding cities and found that this is a very common fee for this additional service and the proposed rate is very much in line with other those charged in other cities. With the increase in scavenging and illegal dumping requests for locking lids is becoming more frequent. It would seem appropriate to adopt a formal fee for this service, and the proposed rates seem reasonable.

### **RECOMMENDATION**

Since the requested increase of 0.30% conforms to the formula allowed for in the franchise agreement, staff recommends that the City Council approve the rate increase for the commercial services requested by Waste Management effective January 1, 2014. Staff also recommends adding the requested rates for locking lid service to the approved rate schedule.

Attachments: Waste Management Request Letter, Rate Adjustment Formula



**WASTE MANAGEMENT**  
San Gabriel / Pomona Valley District  
13940 E. Live Oak Avenue  
Baldwin Park, CA 91706  
(626) 960-7551

November 19, 2013

Mr. Ken Duran  
Assistant City Manager  
City of San Dimas  
245 W. Bonita Avenue  
San Dimas, CA 91750

RE: Annual Price Increase Request

Dear Mr. Duran:

Pursuant to our franchise agreement, Section 22.6, Waste Management respectfully requests an adjustment of the commercial/industrial service rates to be effective January 1, 2014. It is our intention to hold any increase for residential customers until the 2015 rate review period. Any residential customer increase request made for the 2015 rate year will include a carry over amount of 0.30%.

The rate increase formula and calculations based on service at 65%, fuel at 5% and disposal at 30% is attached. You will see that two of the three weighted components of the rate have risen slightly, and that the fuel component decreased. The total calculated increase is 0.30.

Waste Management respectfully requests that the 0.30% increase and locking bin service be included in the Commercial and Industrial rates effective January 1, 2014. The locking bin service is currently available but does not appear on the council approved rate schedule.

- Locking lid - \$10.87 Per bin per month
  - *Locking bins discourage scavenging of recyclables and illegal dumping activity. This service is currently provided but does not have an approved rate. WM asks that the locking bin fee be formalized for customers requesting the service.*
- Lock replacement – \$29.57 per lock unit
- Lock key replacement - \$5.93 per key unit

Many changes will occur this year beginning with the impact of the Puente Hills Landfill closure. Be assured that Waste Management has worked diligently and invested heavily for over ten years in preparing for the closure of this important landfill and will continue to provide cost effective, safe disposal for the San Dimas community for many years in the future.

Sincerely,

Carolyn Anderson Corrao  
Representative to City of San Dimas  
Waste Management San Gabriel/Pomona Valley

Cc: Blaine Michaelis, City of San Dimas  
Julie Reyes, Waste Management  
Cheryl Lautman, Waste Management

Attachment: Rate component work sheet

**2013 - 2014 Rate Adjustment**  
**San Dimas**

**Rate Component Annual Change Assumptions:**

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CPI - Service Component	238.10	239.61	1.51	0.63%
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