



**MINUTES**  
**REGULAR CITY COUNCIL**  
**SUCCESSOR AGENCY MEETING**  
**TUESDAY, JANUARY 28, 2014, 7:00 P. M.**  
**SAN DIMAS COUNCIL CHAMBERS**  
**245 E. BONITA AVE.**

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**CITY COUNCIL:**

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

**STAFF:**

City Manager Blaine Michaelis  
City Attorney Ken Brown  
Assistant City Manager Community Development Larry Stevens  
Assistant City Manager Administration Ken Duran  
Director of Parks and Recreation Theresa Bruns  
Director of Public Works Krishna Patel  
Deputy City Clerk Debra Black  
Administrative Aide Ann Garcia

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

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

**2. RECOGNITION**

- San Dimas High School CIF Championship Football Team

Mayor Morris introduced Coach Zernickow who introduced the players while Mayor Morris handed out the Certificates of Recognition.

**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 and ask to be heard when that agenda item is considered. Comments on public hearing items will be considered when that item is scheduled for discussion. The Public Comment period is limited to 30 minutes. Each speaker shall be limited to three (3) minutes.)

a. Members of the Audience

- 1) **Leo Acosta** resident of Oakway asked for exemption from the parking restrictions
- 2) **Ron Anders** resident of Amelia Avenue spoke in support of Campbell Landscaping
- 3) **John and Eileen S.** residents of Amelia Avenue spoke in support of the Campbells, Bradys and Van Gaalen
- 4) **Dennis Phillips** resident spoke in support of the Campbells, Bradys and Van Gaalen

- 5) **Amy Crow** Manager of the San Dimas Library announced the upcoming activities planned at the Library
- 6) **Linda Dirks** resident of Redwood Lane spoke in support of the residents of Amelia Avenue

#### 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 Ebner and seconded by Councilmember Badar, and carried to accept, approve and act upon the consent calendar as follows:

Correction of the vote count of Resolution 2014 – 04, should reflect no Councilmember absent.

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

**RESOLUTION 2014 - 04**, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN DIMAS, CALIFORNIA, APPROVING CERTAIN DEMANDS FOR THE MONTH OF JANUARY, 2013.

- b. Approval of minutes for the regular City Council meeting of January 14, 2014
- c. Denial of Claim Mercury Insurance/Ramirez Vivian
- d. Adoption of Resolution No. 2014-05 requesting transfer of Miscellaneous Transfer Drain (M.T.D.) No. 1307 to the Los Angeles County Flood Control District for operation and maintenance

**RESOLUTION 2104-05**, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN DIMAS, CALIFORNIA, REQUESTING THE BOARD OF SUPERVISORS OF THE LOS ANGELES COUNTY FLOOD CONTROL DISTRICT OF THE STATE OF CALIFORNIA TO ACCEPT, ON BEHALF OF SAID DISTRICT, THE TRANSFER AND CONVEYANCE OF THE STORM DRAIN IMPROVEMENTS KNOWN AS MISCELLANEOUS TRANSFER DRAIN NO. 1307 IN THE CITY OF SAN DIMAS FOR FUTURE OPERATION, MAINTENANCE, REPAIR, AND IMPROVEMENT, AND AUTHORIZE THE TRANSFER AND CONVEYANCE THEREOF

END OF CONSENT CALENDAR

#### 5. **PUBLIC HEARINGS**

- a. Proposed CDBG Program FY 2014-15 Projected Use of Funds

**Administrative Aide Ann Garcia** presented staff's report and recommended approval of the proposed CDBG Program FY 2014-15 projected use of funds.

Mayor Morris opened the public hearing for comments. No one came forward and the public hearing was closed.

There was discussion on the use of a consultant and amount paid compared to previous year(s) when management of the program was staff's responsibility.

**MOTION:** A motion was made by Councilmember Bertone and seconded by Councilmember Ebiner to approve the CDBG FY 2014-15 use of funds.

## 6. ORAL COMMUNICATIONS

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

1) **Dr. Marvin Ersher** resident spoke on the process of the public hearing

2) **Stan Stringfellow** brought to Council's attention the matter of CC&R's that need to be terminated for the lender to fund and close the loan for the Care Meridian Project

b. City Manager

Mayor's call in show January 30, 7:00 p.m.

c. City Attorney

**City Attorney Ken Brown** expressed his gratitude to the City Council, staff and community for the 37 years of support and announced his resignation as City Attorney by fiscal year end.

**Councilmember Bertone** shared that the city would be hard pressed to find a City Attorney like Ken, who is very committed to the community and a great humanitarian.

**Mayor Morris** shared that Ken has been a partner with the city and it has always been known that he cared about what he did for the city and it has been appreciated.

d. Members of the City Council

1) Direction on request from Dennis Miller to appeal Traffic Safety Committee decision on crosswalk at intersection of Allen Avenue and Bayfield Drive.

**MOTION:** A motion was made by Councilmember Templeman and seconded by Councilmember Bertone to hear appeal and set the date for February 25, 2014.

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

Nothing to report.

3) Individual Members' comments and updates

**Councilmember Templeman** mentioned that the City Manager had conversation with the operators of the KinderCare about their future plans and asked him to share the outcome.

**City Manager Michaelis** explained KinderCare took no position on the Care Meridian Project, but had concerns over the perception that the business would be affected and would be closing. He continued to say that KinderCare's business operation will continue.

**Councilmember Ebiner** shared that he has appreciated the City Attorney's view on various matters such as the Brown Act and open meetings.

The meeting adjourned to closed session at 8:16 p.m.

**7. CLOSED SESSION**

**(Recess to closed session pursuant to Government Code 54957 and 54956.8)**

- a. Public Employee Performance Evaluation  
Title: City Manager

No reportable action.

- b. Real Property Transaction  
Consider the price and terms for the sale exchange or lease of the following:  
299 East Foothill Blvd., San Dimas, CA 91773

**City Negotiator:** Blaine Michaelis, City Manager

**Potential Purchaser of Property:** The Olson Company

It was the unanimous decision of the City Council that the property described in the agenda and discussed in the closed session is surplus property and best utilized if it is transferred to and incorporated as part of whatever development is approved for the contiguous property. That transfer would be in exchange for a developer's participation in an agreement with the city to address the cost of certain project improvements associated with the development on terms to be agreed to by the city.

**8. ADJOURNMENT**

Adjourned at 10:15 p.m. The next meeting is February 11, 2014, 7:00 p.m.

Respectfully submitted,

  
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Debra Black Deputy City Clerk