

AGENDA
REGULAR CITY COUNCIL MEETING
TUESDAY JUNE 28, 2016, 7:00 P. M.
SAN DIMAS COUNCIL CHAMBERS
245 E. BONITA AVE., SAN DIMAS, CA

CITY COUNCIL:

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

1. CALL TO ORDER AND FLAG SALUTE

2. RECOGNITIONS/PROCLAMATIONS

- Recognize Los Angeles County Sheriff's Department Public Safety Employee of the Year
- Recognize Los Angeles County Fire Department Public Safety Employee of the Year

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

a. Members of the Audience

4. CONSENT CALENDAR

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

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

RESOLUTION 2016-37, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN DIMAS APPROVING CERTAIN DEMANDS FOR THE MONTH OF JUNE, 2016.

- b. Approval of minutes for City Council Study Session of June 14, 2016 and regular City Council meeting of June 14th, 2016.**
- c. Salary Resolution Revision**

END OF CONSENT CALENDAR

5. OTHER MATTERS

- a. Authorize the Mayor to sign a letter providing comments to the Federal Railroad Authority regarding train horns**

RECOMMENDED ACTION: Authorize Mayor to sign letter to the Federal Railroad Authority.

- b. Approval of the Final Mitigated Negative Declaration as Required to Obtain Los Angeles County Flood Control Easements for the Re-alignment and Reconstruction of Golden Hills Road through the San Dimas Debris Placement Site (a Flood Control Property)**

RECOMMENDED ACTION: Approve the Final Mitigated Negative Declaration.

- c. Approval of Transfer of Development Agreement from NJD, Ltd. to Brasada Home Land, LLC and Transfer of Agreement to Modify Development Rights and Obligations for the Northern Foothills Project for 65 lot residential development project at the northerly terminus of Cataract Avenue**

RECOMMENDED ACTION: Approve the request to transfer the NJD Development Agreement to Brasada Homes Land LLC

- d. Verbal report providing an update of the Downtown Wooden Sidewalk Replacement project. Request to reconsider the removal of the Sycamore and London Plane trees on the north side of the 100 West Bonita Avenue Block as part of the project.**

6. ORAL COMMUNICATIONS

- a. Members of the Audience (Speakers are limited to five-minutes or as may be determined by the Chair.)**
- b. City Manager**
- c. City Attorney**

d. Members of the City Council

- 1) Councilmembers' report on meetings attended at the expense of the local agency.
- 2) Individual Members' comments and updates.

7. ADJOURNMENT

This meeting will be adjourned in memory of Frank Basile – long time Public Works Director for the City of San Dimas. Frank passed away June 12, 2016. The next meeting is July 12th, 2016, 7:00 p.m.



Notice Regarding American with Disabilities Act: In compliance with the ADA, if you need assistance to participate in a city meeting, please contact the City Clerk's Office at (909) 394-6216. Early notification before the meeting you wish to attend will make it possible for the City to make reasonable arrangements to ensure accessibility to this meeting [28 CFR 35.102-35.104 ADA Title II].

Copies of documents distributed for the meeting are available in alternative formats upon request. Any writings or documents provided to the City Council regarding any item on this agenda will be made available for public inspection at the Administration Counter at City Hall and at the San Dimas Library during normal business hours. In addition most documents are posted on the City's website at cityofsandimas.com.

Posting Statement: On June 24th, 2016 a true and correct copy of this agenda was posted on the bulletin board at 245 East Bonita Avenue (San Dimas City Hall), 145 North Walnut Avenue (Los Angeles County Library), 300 East Bonita Avenue (United States Post Office), Von's Shopping Center (Puente/Via Verde Avenue) and the City's website www.cityofsandimas.com/minutes.cfm

RESOLUTION 2016-37

**A RESOLUTION OF THE CITY COUNCIL OF THE
CITY OF SAN DIMAS, CALIFORNIA, APPROVING
CERTAIN DEMANDS FOR THE MONTH OF JUNE 2016**

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 06/30/2016 in the amount of \$831,029.77(155655-
155771) (VOID Ck's 155649-155654).

PASSED, APPROVED AND ADOPTED this 28th, day of June 2016.

Curtis W. Morris, Mayor City of San Dimas

ATTEST:

Debra Black, Assistant City Clerk

I, DEBRA BLACK, ASSISTANT CITY CLERK, HEREBY CERTIFY that
Resolution 2016-37 was approved by vote of the City Council of the City of San Dimas at its
regular meeting of June 28th, 2016 by the following vote:

AYES:
NOES:
ABSTAIN:
ABSENT:

Debra Black, Assistant City Clerk

06/30/2016

WARRANT REGISTER

Ck#'s 155655-155771

VOID Ck#'s 155649-
155654

Total: \$831,029.77

WARRANT	DATE	VENDOR	DESCRIPTION	AMOUNT	PO#	CLAIM	INVOICE
BANK OF AMERICA							
155655	06/30/16	ACCO ENGINEERED SYST	JUNE'16 MAINTENANCE	2,000.00			661868
155655	06/30/16	ACCO ENGINEERED SYST	JUNE 16 MAINTENANCE	2,663.00		*CHECK	661868
							TOTAL
155656	06/30/16	AGUIRRE/GLORIA	SR. BOUTIQUE GIFT SALES	43.20			009306
155657	06/30/16	ALBERTSON'S	HAPPY HOUR RAFFLE PRIZ	10.00			016437
155657	06/30/16	ALBERTSON'S	JUNE 16 RAFFLE PRIZE	80.00		*CHECK	021875
			BUNGO 6/21/16	176.14			TOTAL
				266.14			
155658	06/30/16	ALESHIRE & WYNDER, L	GENERAL LITIGATION	4,567.50			37868
155658	06/30/16	ALESHIRE & WYNDER, L	PLANNING	1,137.50			37869
155658	06/30/16	ALESHIRE & WYNDER, L	PUBLIC WORKS/ENGINEER	452.00			37871
155658	06/30/16	ALESHIRE & WYNDER, L	CODE ENFORCEMENT	6,280.00		*CHECK	37872
							TOTAL
155659	06/30/16	AMERINATIONAL COMM.	MAY DEFERE W/MONITOR	23.65			16-01033
155660	06/30/16	AMERI PRIDE	UNIFORMS	48.99			1401350200
155660	06/30/16	AMERI PRIDE	UNIFORMS	59.30			1401374800
155660	06/30/16	AMERI PRIDE	UNIFORMS	59.56			1401379582
155660	06/30/16	AMERI PRIDE	UNIFORMS	9.56			1401384599
155660	06/30/16	AMERI PRIDE	TOWELS	4.80			1401389539
155660	06/30/16	AMERI PRIDE	UNIFORMS	40.70			1401389542
155660	06/30/16	AMERI PRIDE	UNIFORMS	22.90			1401389549
155660	06/30/16	AMERI PRIDE	UNIFORMS	22.90			1401389549
155660	06/30/16	AMERI PRIDE	UNIFORMS	38.95			1401394374
155660	06/30/16	AMERI PRIDE	UNIFORMS	21.18			1401395037
155660	06/30/16	AMERI PRIDE	CREDIT 4/6 & 4/13/2016	8.10			1411005037
155660	06/30/16	AMERI PRIDE	TOWELS	4.80			1411005037
155660	06/30/16	AMERI PRIDE	UNIFORMS	40.70		*CHECK	401394368
				339.12			TOTAL
155661	06/30/16	ARAMARK REFRESHMENT	BRONZE WATER FILTER	490.49			8942823
155662	06/30/16	ARCHITERRA DESIGN GR	S.D.DOWTOWN MASTER PL	497.50			21549
155663	06/30/16	BARRACO/FRANK	UMPIRE FORFIET FEE	20.00			
155664	06/30/16	BATTERY WORX, INC.	DEKA SEAMATE	731.04			1-67361
155664	06/30/16	BATTERY WORX, INC.	BATTERY WORX, INC.	731.04		*CHECK	1-67568
				1,462.08			TOTAL
155665	06/30/16	BEAR STATE PUMP & EQ	MOTOR FOR POOL PUMP	1,776.00			63612
155666	06/30/16	BEHEN/JOHN	SPRING AVY INSTRUCT	8,617.60			

Disbursement Journal

ACS FINANCIAL SYSTEM
 06/22/2016 15:19:32

WARRANT DATE	VENDOR	DESCRIPTION	AMOUNT	CLAIM INVOICE	PO#	F 9 S ACCOUNT
155676	BANK OF AMERICA	10183 CAR ACCIDENT REPAIR	2,683.61	22430		N D 012.4410.929.002
155677	COUNTRY ESTATE FENCE	10986 MUSIC'N PARK PERFORMA	800.00	JUNE 29,2016		N D 110.213.774
155678	COVINA CONCERT BAND,	10588 PLAYGROUND SAFETY C	1,060.00			N D 001.4414.016.000
155678	CPRS	10588 PLAYGROUND SAFETY COU	230.00			N D 001.4415.016.000
155678	CPRS		1,330.00	*CHECK TOTAL		
155679	CPRS DISTRICT XIII	.00002 REC LEADER TRAINING	45.00	1308		N D 001.4420.021.000
155680	CSG CONSULTANTS INC	10871 BUILDING PLAN REVIE	6,545.00	B160298		N D 001.4311.020.001
155681	CUEVAS/SANDRA	10990 TINY TOTS INSTR.	963.00			M D 001.4420.020.000
155682	CURTIS/NICHOLE	.00006 REFUND KIDS FUN CLUB	270.00			N D 001.367.011
155682	CURTIS/NICHOLE	.00006 REFUND EXCURSIONS	150.00			N D 001.367.002
155683	DAPEER,ROSEBLIT & L	11960 MAY M.C.PROSECUTION	1,958.20	11365		N D 001.4170.020.001
155684	DEPARTMENT OF JUSTIC	10155 FINGERPRINT APPS X18	576.00	169689		N D 001.4150.020.000
155685	DMS CONSULTANTS, INC	12210 GREEN ST.INFILTRATI	2,200.00	033-10		N D 001.4341.024.020
155686	EMMANUEL BAPTIST CHU	.00007 REFUND RENTAL DEPOSIT	300.00			N D 001.341.002
155687	ENDLICH/MARY	10786 SR.BOUTIQUE GIFT SALES	18.00			M D 001.4420.013.009
155688	EWING IRRIGATION PRO	12340 CARSON GREEN IJD ONLY	28.25	1539967		N D 008.4414.033.009
155688	EWING IRRIGATION PRO	12340 HUNTER 655A HBR CMT	177.73	1548789		N D 001.4415.020.009
155688	EWING IRRIGATION PRO	12340 IRRIGATION SUPPLIES	213.50	1604545		N D 001.4430.023.000
155689	FEDERAL EXPRESS CORP	12358 2 SHIPMENTS	39.07	5-444-84675		N D 001.4190.017.000
155690	FREETH/JEFFREY	11059 SUBWAY LUNCH STAFF TR	293.40			N D 001.4420.033.000
155691	GALVEZ/VICTORIA	11985 JUNE ZUMBA INSTRUCTOR	153.00			M D 001.4420.020.000
155692	GARRETT	12520 FLAT SAW ASPHALT	440.00	110889		N D 002.4841.559.005
155693	GOLDEN STATE WATER	16324 309930000006	292.66			N D 001.4342.022.004
155693	GOLDEN STATE WATER	16324 309930000007	30.31			N D 001.4342.022.004
155693	GOLDEN STATE WATER	16324 309930000007	22.81			N D 008.4413.022.004
155693	GOLDEN STATE WATER	16324 309930000007	167.34			N D 008.4413.022.004
155693	GOLDEN STATE WATER	16324 309930000007	57.01			N D 008.4413.022.004
155693	GOLDEN STATE WATER	16324 309930000008	41.81			N D 008.4413.022.004
155693	GOLDEN STATE WATER	16324 309930000009	243.09			N D 008.4413.022.004
155693	GOLDEN STATE WATER	16324 309930000009	186.63			N D 072.4123.453.002
155693	GOLDEN STATE WATER	16324 309930000009	316.24			N D 008.4414.022.004

WARRANT	DATE	VENDOR	DESCRIPTION	AMOUNT	PO#	CLAIM	INVOICE
1556993	06/30/16	GOLDEN STATE	WATER	3,352.41			
1556993	06/30/16	GOLDEN STATE	WATER	739.00			
1556993	06/30/16	GOLDEN STATE	WATER	521.00			
1556993	06/30/16	GOLDEN STATE	WATER	277.00			
1556993	06/30/16	GOLDEN STATE	WATER	1,091.00			
1556993	06/30/16	GOLDEN STATE	WATER	1,300.00			
1556993	06/30/16	GOLDEN STATE	WATER	277.00			
1556993	06/30/16	GOLDEN STATE	WATER	757.00			
1556993	06/30/16	GOLDEN STATE	WATER	457.00			
1556993	06/30/16	GOLDEN STATE	WATER	1,800.00			
1556993	06/30/16	GOLDEN STATE	WATER	300.00			
1556993	06/30/16	GOLDEN STATE	WATER	347.00			
1556993	06/30/16	GOLDEN STATE	WATER	420.00			
1556993	06/30/16	GOLDEN STATE	WATER	3,925.88			
1556993	06/30/16	GOLDEN STATE	WATER	5,455.24			
1556993	06/30/16	GOLDEN STATE	WATER	31,603.24			
1556994	06/30/16	GOLDEN STATE	WATER	16,653.64			
1556995	06/30/16	GRAINGER	BANKER BOXES	98.42			
1556995	06/30/16	GRAINGER	REDUCER BUSHING	103.50			
1556996	06/30/16	GROVER & ASSOCIATES/	MAY T. E. SERVICES	3,800.00			
1556997	06/30/16	GUESS/WENDY	REIMB FOR CAMP BAGS	105.76			
1556998	06/30/16	HARRINGTON AUTOMOTIV	REPLACE SHAFT UNIT#52	126.58			
1556998	06/30/16	HARRINGTON AUTOMOTIV	REPLACE SHAFT UNIT#52	126.00			
1556998	06/30/16	HARRINGTON AUTOMOTIV	REPLACE BRAKES UNIT#25	130.00			
1556998	06/30/16	HARRINGTON AUTOMOTIV	REPLACE BRAKES UNIT#25	170.85			
1556999	06/30/16	HI-SHEN	JUNE JANITORIAL SERVI	476.50			
155700	06/30/16	HOLIDAY ROCK COMPAN	NATURAL ROCKS ENVIRO	301.32			
155700	06/30/16	HOLIDAY ROCK COMPAN	POB MAX PG 24-10	574.02			

*CHECK TOTAL

9129933777
9136940872

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16278-IN

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437

813646
815004

WARRANT DATE VENDOR
BANK OF AMERICA

F 9 S ACCOUNT

Disbursement Journal

WARRANT	DATE	VENDOR	DESCRIPTION	AMOUNT	PO#	CLAIM	INVOICE
155700	06/30/16	HOLLIDAY ROCK COMPAN	560-E-2500P,SHORT LOA	412.80		*CHECK	815116
				1,288.14		TOTAL	
155701	06/30/16	HOME DEPOT CREDIT SE	HYBRID FANS	53.30		*CHECK	1020857
155701	06/30/16	HOME DEPOT CREDIT SE	SRC OFFICE AC REPAIR	788.32		*CHECK	6243124
				841.62		TOTAL	
155702	06/30/16	HOMETOWN RENTALS	FOLDING CHAIRS	216.40		*CHECK	173574-1
155702	06/30/16	HOMETOWN RENTALS	TOWER,LEVEL JACK EXT.	224.00		*CHECK	174077-1
				350.40		TOTAL	
155703	06/30/16	ICC	MEMBER DUES E.BEILSTE	135.00			3094285
155704	06/30/16	ILLINI HI-REACH, INC	REPLACE BATT BOX ON L	981.70			181385-0001
155705	06/30/16	IRONSMITH, INC.	FRAMES, TRENCH DRAI	8,537.22			16394
155706	06/30/16	IFWINDALE INDUSTRIAL	PRE-EMPL.PHYSICAL D.D	110.00			104393-668645
155707	06/30/16	JACKSON/GARY	BASKETBALL INSTRCT.	1,421.20			
155708	06/30/16	JOHNNY ALLEN TENNIS	TENNIS INSTRUC.5/31	2,210.68			
155709	06/30/16	JOHNSON/HENRY W	UMPIRE FORFEIT FEE	6/5 20.00			
155710	06/30/16	KOSMONT COMPANIES	PROF. SVC HOTEL / MAY	71.50			0006
155711	06/30/16	L.A. COUNTY SHERIFF	MAY CONTRACT SERVI	368,814.96			164379NH
155711	06/30/16	L.A. COUNTY SHERIFF	MAY CONTRACT SERVI	39,957.50			164379NH
155711	06/30/16	L.A. COUNTY SHERIFF	MAY CONTRACT SERVI	4,979.75			164379NH
155711	06/30/16	L.A. COUNTY SHERIFF	MAY CONTRACT SERVI	7,267.33			164379NH
155711	06/30/16	L.A. COUNTY SHERIFF	MAY CONTRACT SERVI	17,499.92			164379NH
155711	06/30/16	L.A. COUNTY SHERIFF	MAY C% LIABILITY IN	26,455.42			164482JU
155711	06/30/16	L.A. COUNTY SHERIFF	S.T.A.R.DEPUTY SVC	485,145.95		*CHECK	TOTAL
155712	06/30/16	LA VERNE POWER EQUIP	HIP THROTTLE/PIPE	113.48			91055
155712	06/30/16	LA VERNE POWER EQUIP	CHAINSAW	895.75		*CHECK	91061
				809.23		TOTAL	
155713	06/30/16	LAWRENCE ROLL-UP DOO	ROLL UP DOOR MAINT.	237.00			1611003
155714	06/30/16	LEE/DELIA	SR.BOUTIQUE GIFT SALES	10.80			
155715	06/30/16	LEE/JOHN	MILLEAGE REIMB IOS CON	35.64			
155715	06/30/16	LEE/JOHN	PRKING @ IOS CONF.	12.00		*CHECK	TOTAL
				47.64		TOTAL	
155716	06/30/16	LEPE/MAURO	MAY LANDSCAPE SERVICE	65.00			

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Disbursement Journal

WARRANT DATE	VENDOR	DESCRIPTION	AMOUNT	CLAIM	INVOICE	PO#	F 9 S ACCOUNT
155717	BANK OF AMERICA						
155717	06/30/16	LIFEGUARD STORE, INC	884.85		INV427545		N D 001.4430.033.000
155717	06/30/16	LIFEGUARD STORE, INC	752.55	*CHECK	INV427545		N D 001.4430.029.000
155718	06/30/16	LOWE'S HOME IMPROVEM	57.58		02021		N D 001.4430.023.000
155718	06/30/16	LOWE'S HOME IMPROVEM	175.78		02959		N D 001.4341.033.000
155718	06/30/16	LOWE'S HOME IMPROVEM	140.53		92927		N D 001.4341.033.000
155718	06/30/16	LOWE'S HOME IMPROVEM	130.32		20217		N D 008.4415.033.000
155718	06/30/16	LOWE'S HOME IMPROVEM	404.21	*CHECK	TOTAL		N D 001.4342.041.011
155719	06/30/16	M.H. RUEDA CONSTRUCT	400.00		0816C-1-1&1-2		N D 001.4342.041.011
155719	06/30/16	M.H. RUEDA CONSTRUCT	85.00	*CHECK	0816C-1-3		N D 001.4342.041.011
155719	06/30/16	M.H. RUEDA CONSTRUCT	2,485.00	*CHECK	TOTAL		N D 001.4420.020.000
155720	06/30/16	MAD SCIENCE	667.08				N D 001.4412.015.000
155721	06/30/16	MARISCAL PAINTING, I	950.00		650-RET		N D 008.4414.020.016
155722	06/30/16	MARSAN TURF & IRRIGA	16.70		413295		N D 008.4414.020.016
155722	06/30/16	MARSAN TURF & IRRIGA	108.40	*CHECK	413295		N D 008.4414.020.016
155722	06/30/16	MARSAN TURF & IRRIGA	125.10	*CHECK	TOTAL		N D 001.4342.011.001
155723	06/30/16	MATHISEN OIL COMPANY	824.24		6130430		N D 001.4342.011.001
155723	06/30/16	MATHISEN OIL COMPANY	119.04	*CHECK	6130431		N D 001.4342.011.001
155723	06/30/16	MATHISEN OIL COMPANY	2,943.28	*CHECK	TOTAL		N D 001.4190.038.001
155724	06/30/16	MATRIX AUDIO VISUAL	583.55		015805		N D 003.4410.015.000
155725	06/30/16	MC LAY SERVICES INC	883.00		INV 7095		N D 001.4342.020.001
155726	06/30/16	MYLEETCENTER.COM	107.08		65163		N D 001.4190.030.000
155727	06/30/16	OFFICE SOLUTIONS	228.30		I-00967800		N D 001.4190.030.000
155727	06/30/16	OFFICE SOLUTIONS	37.36		I-00968057		N D 001.4190.030.000
155727	06/30/16	OFFICE SOLUTIONS	111.08		I-00973101		N D 001.4190.030.000
155727	06/30/16	OFFICE SOLUTIONS	440.92		I-00973989		N D 001.4190.030.000
155727	06/30/16	OFFICE SOLUTIONS	270.75		I-00977381		N D 001.4190.030.000
155727	06/30/16	OFFICE SOLUTIONS	274.31		I-00977609		N D 001.4190.030.000
155727	06/30/16	OFFICE SOLUTIONS	43.38		PCR-1555889		N D 001.4190.030.000
155727	06/30/16	OFFICE SOLUTIONS	1,281.85	*CHECK	TOTAL		N D 001.341.002
155728	06/30/16	ORTIZ/CELESTINA	950.00				M D 001.4430.029.000
155728	06/30/16	PARADISE EMBROIDERY	521.38		14695		M D 001.4420.034.011
155728	06/30/16	PARADISE EMBROIDERY	230.60		14769		M D 001.4420.034.011
155728	06/30/16	PARADISE EMBROIDERY	238.71		14770		M D 001.4420.034.011
155728	06/30/16	PARADISE EMBROIDERY	430.91	*CHECK	TOTAL		N D 001.4190.200.003
155730	06/30/16	PARS	408.00		34690		

WARRANT DATE	VENDOR	DESCRIPTION	AMOUNT	PO#	CLAIM	INVOICE	F 9 S ACCOUNT
BANK OF AMERICA							
155756	06/30/16	SOCAL COMPLIANCE SER	409.60			00004978	N D 001.4342.020.003
155757	06/30/16	SOUTHERN CALIF EDI	82.81				N D 034.4802.865.513
155757	06/30/16	SOUTHERN CALIF EDI	117.39				N D 034.4880.865.513
155757	06/30/16	SOUTHERN CALIF EDI	47.60				N D 034.4880.865.513
155757	06/30/16	SOUTHERN CALIF EDI	106.79				N D 007.4334.022.001
155757	06/30/16	SOUTHERN CALIF EDI	147.73				N D 007.4334.022.001
155757	06/30/16	SOUTHERN CALIF EDI	189.75				N D 007.4334.022.001
155757	06/30/16	SOUTHERN CALIF EDI	258.73				N D 007.4334.022.001
155757	06/30/16	SOUTHERN CALIF EDI	258.73				N D 007.4334.022.001
155757	06/30/16	SOUTHERN CALIF EDI	41,137.73				N D 007.4334.022.001
155757	06/30/16	SOUTHERN CALIF EDI	285.73				N D 007.4334.022.001
155757	06/30/16	SOUTHERN CALIF EDI	93.38				N D 007.4334.022.001
155757	06/30/16	SOUTHERN CALIF EDI	1,932.95				N D 007.4334.022.001
155757	06/30/16	SOUTHERN CALIF EDI	45,344.48				N D 007.4334.022.001
*CHECK TOTAL							
155758	06/30/16	SPAHR/CANDIDA	10916				M D 001.4420.020.000
155759	06/30/16	T-ZIGNS ETC	16524		162016010		M D 001.4420.033.000
155760	06/30/16	TEMPLEMAN/JEFF	10568		05/12-14/2016		N D 001.4110.021.000
155761	06/30/16	UNITED ROTARY BRUSH	15805		290750		N D 001.4342.011.002
155762	06/30/16	USA SUMMER CAMPS	12322				N D 110.213.148
155763	06/30/16	VALLEY TROPHY	17098		21377		M D 001.4110.021.000
155764	06/30/16	VARIABLE SPEED SOLUT	11576		0000014019		N D 020.4410.927.003
155765	06/30/16	VICTOR STANLEY, INC.	11204		S134494		N D 072.4125.455.000
155766	06/30/16	VICTORY EXTERMINATIN	11145		47093		N D 001.4342.020.003
155767	06/30/16	WALCZAK/BEVERLY	17178				M D 001.4420.020.000
155768	06/30/16	WALCZAK/JEROME	17180				M D 001.4420.020.000
155769	06/30/16	WALTERS WHOLESALE EL	10860		2327739-00		N D 001.4410.023.000
155769	06/30/16	WALTERS WHOLESALE EL	10860		2328101-00		N D 001.4410.023.000
*CHECK TOTAL							

WARRANT	DATE	VENDOR	DESCRIPTION	AMOUNT	CLAIM	INVOICE	PO#
		BANK OF AMERICA					F 9 S ACCOUNT
155770	06/30/16	WATERLINE TECHNOLOGI	HYPOCHLORITE SOL	210.94		5339851	N D 001.4430.033.000
155770	06/30/16	WATERLINE TECHNOLOGI	HYPOCHLORITE SOL	107.26		5340603	NN D 001.4430.033.000
155770	06/30/16	WATERLINE TECHNOLOGI	HYPOCHLORITE SOL	436.35		5340939	NNN D 001.4430.033.000
155770	06/30/16	WATERLINE TECHNOLOGI	SODIUM BICARBONATE	196.73		5341294	NNN D 001.4430.033.000
155770	06/30/16	WATERLINE TECHNOLOGI	HYPOCHLORITE	1,278.01		5341417	NNN D 001.4430.033.000
						*CHECK TOTAL	
155771	06/30/16	ZALLO/ROBERT W	TAI CHI JUNE INSTRUCO	97.92			M D 001.4420.020.000
		BANK OF AMERICA	TOTAL	831,029.77			

ACS FINANCIAL SYSTEM
06/22/2016 15:19:32
WARRANT DATE VENDOR
REPORT TOTALS:

GL540R-V07.27 PAGE 12
CITY OF SAN DIMAS

F 9 S ACCOUNT

PO#

Disbursement Journal

CLAIM INVOICE

AMOUNT

831,029.77

DESCRIPTION

RECORDS PRINTED - 000360

FUND RECAP:	FUND DESCRIPTION	DISBURSEMENTS
001	GENERAL FUND	685,273.13
003	STATE GAS TAX	1,317.87
007	WALKER HOUSE LLC FUND	4,413.44
008	CITY WIDE PARCEL LITING TAX	23,718.33
012	LANDSCAPE PARCE REPLACEMENT	12,782.18
020	INFRASTRUC PARK DEVELOP	3,240.28
027	COMMUNITY PARK REVEG DIST	1,099.17
034	CIVIC CENTER PARKY CG 2-1-12	17,475.87
041	HOUSING AUTHORITY CG 2-1-12	11,755.00
053	SUCCESSOR AGENCY PUBLIC SAFE	8,851.46
070	CITIZENSHIP MAINT & OPERATIO	
072	EQUIPMENT REPLACEMENT	
073	PROP A LOCAL TRANSPORTATION	
110	TRUST AND AGENCY	
	TOTAL ALL FUNDS	831,029.77

BANK RECAP:	BANK NAME	DISBURSEMENTS
	CHEK BANK OF AMERICA	831,029.77
	TOTAL ALL BANKS	831,029.77



**REGULAR CITY COUNCIL MINUTES
TUESDAY, JUNE 14, 2016, 7:00 P. M.
SAN DIMAS COUNCIL CHAMBERS
245 EAST BONITA AVENUE**

CITY COUNCIL:

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

STAFF:

City Manager Blaine Michaelis
Assistant City Manager Community Development Services Larry Stevens
Assistant City Manager Administrative Services Ken Duran
City Attorney Mark Steres
Director of Parks and Recreation Theresa Bruns
Director of Public Works Krishna Patel
Associate Engineer Steve Barragan
Assistant City Clerk Debra Black

1. CALL TO ORDER AND FLAG SALUTE

Mayor Morris called the meeting to order and led the flag salute at 7:05 p.m.

2. ORAL COMMUNICATIONS (Members of the audience are invited to address the City Council on any item not on the agenda. Under the provisions of the Brown Act, the legislative body is prohibited from taking or engaging in discussion on any item not appearing on the posted agenda. However, your concerns may be referred to staff or set for discussion at a later date. If you desire to address the City Council on an item on this agenda, other than a scheduled public hearing item you may do so at this time or 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) **Nora Chen** San Dimas Library announcements
- 2) **Michael Huff** La Verne resident opposing the removal of a Heritage Oak tree with the Golden Hills Road Project
- 3) **Gary Enderle** San Dimas resident announced these upcoming events:

- National Night Out August 2 at Via Verde Park,
- San Dimas HEROES Golf Tournament September 12.

He shared that the Care Meridian Group has done a good job in communicating with the Via Verde Ridge Homeowners Association, and that June 9th will be the 21st anniversary of the death of Louis Pompei he would like to see someone from the city attend some part of the planned ceremony.

- 4) **Bob Hardcastle** Sheriff's Volunteer announced an event planned by the Horse Evacuation And Resource Team (HEART) on June 18, 2016.

3. 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 2016-33, A Resolution of the City Council of the City of San Dimas Approving Certain Demands for the Months of May and June 2016.

- b. **Approval of minutes for the special meetings of May 24, 2016, June 2, 2016 and the regular meeting of May 24, 2016, 7:00 pm.**

- c. **RESOLUTION 2016-36**, A Resolution of the City Council of the City of San Dimas Authorizing Submittal of Application for Payment Programs and Related Authorizations

- d. **Claim Denial Merritt v. City of San Dimas (1937812) TVQ**

Councilmember Badar recused himself from approval of Warrant Register 06/15/2016. (Item #155509). There being no further considerations or requests the following action was taken:

MOTION: Badar
SECOND: Ebiner
AYES: Badar, Ebiner, Bertone, Templeman, Morris
NOES: None

The motion carried to approve the consent calendar as presented.

END OF CONSENT CALENDAR

4. OTHER MATTERS

- a. **Verbal report from Staff – Metrolink Horn Noise – Quiet Zone Designation**

Recommended Action: Receive and file

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

Councilmember Badar asked if there would be any value to council signing and sending a letter to Metrolink.

Mr. Michaelis explained that the step of responding staff to staff was more immediate and allows council to address any matter they would like to address with the Metrolink Board separately.

Councilmember Templeman shared that he requested staff add this item to the agenda and prepare a letter from the Mayor. And while he is okay with staff's letter he doesn't want the city to sleep on this issue and feels a message from all of council at some point would be a stronger indication that they are supportive of this direction. He added that this is Metrolink's problem and they should fix it.

Councilmember Ebiner felt that a sample work plan and a detailed list of requirements should be obtained to get an overview of what the process of getting a quiet zone entails.

Councilmember Bertone agreed with Councilmember Ebiner and would like to see a detailed listing of the requirements for quiet zones.

Councilmember Badar felt that if there is going to be a problem with the Gold Line horns in the future the conversations need to start now.

Mr. Michaelis summarized the plan of action with the understanding that a letter from the council would be prepared once it is known what will be discussed at the board meeting.

Director of Public Works Krishna Patel shared that there will be a national hearing on the issue of horns and quiet zones where comments can be submitted. Staff plans to bring to council their suggestion of a resolution with suggested comments at the next council meeting.

Mayor Morris invited members of the audience for comment.

Claudia Flores resident thanked staff for their time and commitment to project and pointed out that the double track and quiet zones should be kept as separate issues.

Chelsea Todd resident asked where someone could go to oppose Metrolink acquiring additional track footage.

Mayor Morris gave a brief description of the imminent domain component of a court hearing.

Mr. Michaelis added that a benefit of the initial design of the project will identify the areas of right of way that need the additional footage and they are required to hold hearings where the public can comment.

Pete S. resident strongly discourages the double track and shared details of other projects that are experiencing difficulties because of opposition by citizens groups.

Councilmember Ebiner left dais 7:57 pm and returned 7:59pm.

b. CC 2016-01 Bonita Avenue Boardwalk Streetscape Replacement & Renovation Project Renovation Project

Recommended Action:

- Grant low bidder Yakar's request to withdraw bid due to clerical error in calculating bid amount.
- Award Construction Contract 2016-01 to the second low bidder Act 1 for the base bid amount of \$2,553,348.50.
- Approve Change Order No. 1 that reduces the project cost by \$115,035 by deleting bid items that could be completed collectively by City forces or by another City contractor.
- Approve Change Order No. 2 that reduces the project cost by \$335,619 by allowing a different construction method or approved equal substitution.
- Award of Soils Engineering and Construction Surveying and other Contractors associated with the contract.
- Appropriate \$2,065,000 from General Fund and Fund 07: City Wide Lighting District.
- Approve revised total construction project budget of \$2,595,683.90.

Director of Public Works Krishna Patel presented staff's report on this item.

Mayor Morris announced that council held a special meeting earlier to hear a detailed presentation from staff on this item.

Councilmember Badar asked staff to verify what the balance of the city reserves would be after funding of this project.

Assistant City Manager Ken Duran supplied the following summary; the ending fund balance at the end of next year is anticipated to be \$16.1 million, representing 79% of the city's general operating expenses.

City Attorney Mark Steres advised that unless there is a split vote all seven items could be voted on at once.

There being no further discussion the following action was taken:

MOTION: Bertone
SECOND: Templeman
AYES: Badar, Ebiner, Bertone, Templeman, Morris
NOES: None

The motion carried to approve the recommended action listed for the CC 2016-01 Bonita Avenue Boardwalk Streetscape Replacement & Renovation Project.

c. Approval of the Final Mitigated Negative Declaration as Required to Obtain Los Angeles County Flood Control Easements for the Re-alignment and Reconstruction of Golden Hills Road through the San Dimas Debris Placement Site (a Flood Control Property)

Recommended Action: Approve the Final Mitigated Negative Declaration

Associate Engineer Steven Barragan presented staff's report on this item.

Mayor Morris asked about the removal of the one Oak tree.

Director of Public Works Krishna Patel answered that the impacted tree cannot be saved because of the alignment of the road.

In response to **Mayor Morris'** question regarding alternate alignment options Mr. Patel answered that he did share information with another resident who had several concerns, however the resident tonight did not respond to letters sent.

Councilmember Ebiner asked how much the road would have to be moved to avoid removing the tree and the effect on other trees.

Mr. Patel replied that if moved to the north it increases the effect on the trees on the other side of the road.

Mr. Huff questioned the need to remove the tree and recommended moving the road instead and asked for a review on this matter.

Council, staff and the resident continued discussing ideas and remedies on how to save the tree.

In conclusion it was decided to continue this item to the next council meeting, after some councilmembers and staff visited the site.

ACTION: Consensus to continue this item to the meeting of June 28, 2016.

d. 2015 Annual Housing Element Progress Report

Recommended Action: Receive and file.

Mr. Stevens presented staff's report on this item with an update that he would be adding a sentence to section "C", which indicates there were 11 units that the city provided rental assistance to.

There being no discussion on this item the following action was taken:

MOTION: Templeman
SECOND: Bertone
AYES: Badar, Bertone, Ebiner, Templeman, Morris
NOES: None

The motion carried to receive and file the Annual Housing Element Progress Report.

e. Inland Valley Humane Society Service Agreement

Recommended Action: Approve the proposed two-year Service Agreement with Inland Valley Humane Society.

Assistant City Manager Ken Duran presented staff's report on this item.

There being no discussion on this item the following action was taken:

MOTION: Bertone
SECOND: Ebiner
AYES: Badar, Bertone, Ebiner, Templeman, Morris
NOES: None

The motion carried to approve the two-year Service Agreement with the Inland Valley Humane Society.

f. Adoption of 2016-2017 Annual Capital and Operating Budget

Recommended Action: Adopt 2016-2017 Annual Capital and Operating Budget

Mr. Duran presented staff's report on this item.

Mayor Morris asked if this budget included the same amount of assistance to the Chamber of Commerce as in previous years.

Mr. Duran answered yes it is the same amount of assistance but staff is still in talks over what they will actually need in the future.

Councilmember Ebiner asked what the \$120,000 amount budgeted for the decorative lighting will cover for the coming year.

Mr. Patel responded that it will cover three blocks of Fourth Street.

Mayor Morris opened the discussion for public comments. Seeing no one come forward public comments was closed.

There being no further discussion on this item the following action was taken:

MOTION: Bertone
SECOND: Ebiner
AYES: Badar, Bertone, Ebiner, Templeman, Morris
NOES: None

The motion carried to adopt the 2016-2017 Annual Capital and Operating Budget.

- g. RESOLUTION 2016-34**, A Resolution of the City Council of the City of San Dimas, County of Los Angeles, State of California, Adopting Appropriations Limit for Fiscal Year 2016-17 and Appropriate Excess Revenues.

Recommended Action: Adopt Resolution 2016-34, Appropriation Limit for FY 2016-2017

Mr. Duran presented staff's report on this item.

There being no discussion on this item the following action was taken:

MOTION: Templeman
SECOND: Ebner
AYES: Badar, Bertone, Ebner, Templeman, Morris
NOES: None

The motion to adopt Resolution 2016-34, Appropriation Limit for FY 2016-2017 carried.

- h. RESOLUTION 2016-35**, A Resolution of the City Council of the City of San Dimas Adopting and Extending the Pay Plan and Reimbursement Schedule for City Employees

Recommended Action: Adopt Resolution 2016-35, Adopting and Extending the Pay Plan and Reimbursement schedule for City Employees

Mr. Duran presented staff's report on this item. There being no discussion on this item the following action was taken:

MOTION: Ebner
SECOND: Bertone
AYES: Badar, Bertone, Ebner, Templeman, Morris
NOES: None

5. ORAL COMMUNICATIONS

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

No one came forward.

- b. City Manager**

Announcement of the Mayor's call in show this week.

- c. City Attorney**

Thanked council for excusing him for vacation.

d. Members of the City Council

- 1) Designation of Voting Delegates and Alternate for League of California Cities Meeting October 5, 2016 in Long Beach.

There being no discussion on this item the following action was taken:

MOTION: Ebiner
SECOND: Bertone
AYES: Badar, Bertone, Ebiner, Templeman, Morris
NOES: None

The motion to designate Councilmember Badar as the delegate and Councilmember as the alternate carried.

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

Councilmembers Templeman, Ebiner, Badar Gold Line meeting - \$10.00 transit card.

- 3) Individual Members' comments and updates.

- Councilmember Templeman commented on a camera at Wells Fargo ATM School District ad Hoc Committee
- Councilmember Badar raised concern over on cell phone service in downtown and crime statistics on transit stations
- Councilmember Bertone restated his interest in having specifics on intersections of quiet zones and requested a staff person to accompany him to the Golden Hills Road Project site

6. ADJOURNMENT

There being no further business, Mayor Morris adjourned the meeting at 9:25 p.m. to Tuesday June 28, 2016 at 7:00 p.m.

Debra Black, Assistant City Clerk

Curtis W. Morris, Mayor



MINUTES
SPECIAL CITY COUNCIL MEETING
TUESDAY, JUNE 14, 2016, 6:00 P.M.
SAN DIMAS COUNCIL CHAMBERS
CONFERENCE ROOM
245 E. BONITA AVENUE

PRESENT:

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

City Manager Blaine Michaelis
Assistant City Manager Ken Duran
City Attorney Mark Steres
Assistant City Manager for Community Development Larry Stevens
Director of Public Works Krishna Patel
Director of Parks and Recreation Theresa Bruns

1. CALL TO ORDER

Mayor Morris called the Special City Council Meeting to order at 6:00 p.m.

2. ORAL COMMUNICATIONS

None.

3. BONITA AVENUE STREETScape RENOVATION PROJECT – STAFF PRESENTATION REGARDING THE PROJECT

Mr. Michaelis explained that the City opened bids for the Bonita Ave. streetscape project and the bids came in higher than the estimate. He mentioned that the apparent low bidder has submitted a request to withdraw his bid due to an error and staff has also had discussions with the second lowest bidder regarding potential change orders to his bid. He added because this is such a significant project staff scheduled the study session to allow the time necessary to walk through the bid award process with the Council. He added that the action by the Council on the bids will take place at the regular meeting later this evening.

Mr. Patel reported that given the request by the apparent low bidder to withdraw his bid and the amount of the bids, the City has two options. The first option is to reject all bids and re-bid the project in hopes of more favorable bids. The second is to allow the low bidder to withdraw his bid and award the bid to the second bidder. He explained that under option 2 staff has worked with the 2nd bidder on some change orders that would reduce the overall price of the contract. He reviewed the pros and cons of each option. He also reviewed the modified items that would be a part of the change orders.

In response to a question Mr. Patel commented that the City has spent \$370,000 to date in the pre-purchase of materials.

Cindi Williams asked if the cost includes façade work for some of the businesses. Mr. Stevens responded that the contract price would include the removal of the fixed overhangs and steps and some associated costs but further façade work would be done as part of a separate façade program with the businesses.

Councilmember Badar expressed concern with the amount of the bids over the architects estimate. Mr. Michaelis explained some of the factors that could have contributed to the increased amount.

Councilmember Ebiner asked for reconsideration of removing the two London Plane trees in front of the gas station. Mr. Patel explained that due to the new grades, the root ball of the trees would be higher than the sidewalk grade.

Mr. Duran explained that the proposed budget presented to the Council includes the full cost of this project, as well as all other capital projects. He added that after use of reserves for the projects the General Fund reserve is around \$16.1 million or 79% of operating expense.

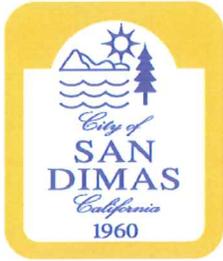
There was some discussion on the start date and timing of the project and coordination with the businesses and the public for parking and access.

4. ADJOURNMENT

The meeting adjourned at 6:55 p.m.

Ken Duran, City Clerk

Curtis W. Morris, Mayor



Agenda Item Staff Report

To: Honorable Mayor and Members of City Council
June 28, 2016

From: Blaine Michaelis, City Manager

Initiated by: Ken Duran, Assistant City Manager

Subject: Amendment to Employee Pay Plan and Reimbursement Schedule

SUMMARY
Amend the City Employee Pay Plan and
Reimbursement Schedule to add two part-time
position classifications

BACKGROUND

As part of the FY 16-17 budget adoption at the June 14th meeting, the Council adopted an amended employee Pay Plan and Reimbursement Schedule which reflected changes in salaries and position classifications that were included in the adopted budget. There was one new position classification that was erroneously omitted from the amended Plan that was included with the budget. As was described in the budget notes, as a part of a Recreation Division reorganization the Recreation Intern position is being reclassified to part-time Administrative Aide. Since this is a new classification the position needs to be added to the Pay Plan.

Also, the adopted budget and Pay Plan included the addition of a new Recreation Supervisor classification. This position will receive a car allowance and cell phone stipend, like similar other positions. The addition of this position to the Car Allowance and Cell Phone Stipend section of the Pay Plan was not included in the last amendment and is being added by this amendment.

Lastly, staff also realized that the position of part-time Supervising Lifeguard was missing from Pay Plan. This is a position that has been a part of the organization for some time, but apparently was eliminated from the Pay Plan at some point.

The accompanying Resolution amends the Pay Plan and Reimbursement Schedule to add the part-time Administrative Aide classification at Range 182 and Supervising Lifeguard at Range 158 and adding Car Allowance and Cell Phone stipend for the Recreation Supervisor position.

RECOMMENDATION

Staff recommends that the City Council approve the Resolution amending the employee Pay Plan and Reimbursement Schedule to add the part-time Administrative Aide and Supervising Lifeguard classifications and add car allowance and cell phone stipend for the Recreation Supervisor position.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Ken Duran". The signature is fluid and cursive, with a large initial "K" and "D".

Ken Duran
Assistant City Manager

Attachments: Resolution

RESOLUTION 2016-38

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN DIMAS,
COUNTY OF LOS ANGELES, ADOPTING AND EXTENDING THE PAY PLAN
AND REIMBURSEMENT SCHEDULE FOR CITY EMPLOYEES**

NOW, THEREFORE, BE IT FURTHER RESOLVED that the City Council of the City of San Dimas does hereby resolve that:

SECTION 1. Resolution No. 2016-34 is hereby amended, and the following salary plan supersedes all previous plans, effective June 19, 2016 to read as follows:

<u>FULL TIME CLASSIFICATIONS</u>	<u>RANGE</u>	<u>MONTHLY SALARY</u>
<u>EXECUTIVE STAFF</u>		
City Manager	110	18,283
Assistant C. M. for Community Development	104	14,839
Assistant C. M. /Director of Admin. Serv./Treasurer	100	11,098-13,490
Director of Parks & Recreation	97	10,306-12,527
Director of Public Works	97	10,306-12,527
<u>ADMINISTRATIVE SERVICES</u>		
Administrative Services Manager	89	8,396-10,206
IS Administrator	73	5,726-6,960
Accounting Supervisor	71	5,449-6,594
Human Resource Specialist	63	4,512-5,449
Accounting Technician	57	3,911-4,727
Assistant City Clerk	61	4,311-5,240
<u>DEVELOPMENT SERVICES</u>		
Planning Manager	89	8,396-10,206
Building & Safety Superintendent	89	8,396-10,206
Senior Planner	80	6,763-8,191
Associate Planner	73	5,726-6,960
Building Inspector/Plans Examiner	75	6,017-7,314
Building Inspector I	71	5,449-6,594
Assistant Planner	67	4,970-6,041
Code Compliance Officer	63	4,512-5,449
Building Permit Technician II	63	4,512-5,449

<u>PUBLIC WORKS</u>	<u>RANGE</u>	<u>MONTHLY SALARY</u>
Senior Engineer	89	8,396-10,206
Public Works Maintenance Superintendent	83	7,275-8,843
Associate Engineer	80	6,763-8,191
Public Works Inspector	71	5,449-6,594
Public Works Maintenance Supervisor	71	5,449-6,594
Environmental Services Coordinator	64	4,626-5,622
Public Works Lead Worker	61	4,311-5,240
Equipment Mechanic	58	4,009-4,848
Equipment Operator	59	4,105-4,961
Street Maintenance Worker II	59	4,105-4,961
Street Maintenance Worker I	55	3,732-4,512

<u>PARKS AND RECREATION</u>		
Recreation Manager	85	7,643-9,290
Facilities Manager	85	7,643-9,290
Landscape Maintenance Manager	83	7,275-8,843
Municipal Arborist	71	5,449-6,594
Facilities Maintenance Supervisor	71	5,449-6,594
Landscape Maintenance Supervisor	71	5,449-6,594
Recreation Supervisor	71	5,449-6,594
Recreation Coordinator	63	4,512-5,449
Facilities Maintenance Worker II	59	4,105-4,961
Facilities Maintenance Worker I	55	3,732-4,511
Landscape Maintenance Worker II	59	4,105-4,961
Landscape Maintenance Worker I	55	3,732-4,512

<u>INTERDEPARTMENTAL</u>		
Administrative Analyst	67	4,970-6,041
Administrative Aide	63	4,512-5,449
Administrative Secretary	57	3,911-4,727
Departmental Assistant	52	3,504-4,259
Senior Office Assistant	46	3,022-3,647
Office Assistant	44	2,891-3,481

<u>HOURLY CLASSIFICATIONS</u>	<u>RANGE</u>	<u>HOURLY RATE</u>
<u>Administration Services</u>		
Parking Enforcement Officer	173	19.31-23.49
Senior Office Assistant	153	15.82-19.23
Administrative Intern	149	15.19-18.50
Office Assistant	148	15.06-18.30
Receptionist	116	10.95-13.34

<u>PARKS AND RECREATION</u>	<u>RANGE</u>	<u>HOURLY RATE</u>
Fitness Instructor	192	23.39-28.46
Recreation Coordinator	182	21.11-25.70
Aquatics Coordinator	182	21.11-25.70
Administrative Aide	182	21.11-25.70
Maintenance Worker	173	19.31-23.49
Pool Maintenance Operator	173	19.31-23.49
Supervising Lifeguard	158	16.65-20.22
Recreation Intern	149	15.19-18.50
Shooting Stars Director	148	15.06-18.30
Senior Lifeguard/Instructor	141	14.04-17.07
Program Specialist	131	12.71-15.48
Swim Instructor	131	12.71-15.48
Lifeguard	126	12.08-14.73
Senior Recreation Leader	126	12.08-14.73
Cashier	122	11.63-14.14
Recreation Leader	116	10.95-13.34
Building Maintenance Aide	115	10.85-13.19
Locker Room Attendant	103	9.64-11.70
Building Maintenance Intern	103	9.64-11.70

<u>DEVELOPMENT SERVICES</u>		
Planning Intern	149	15.19-18.50
Housing Intern	149	15.19-18.50

<u>PUBLIC WORKS</u>		
Engineering Intern	149	15.19-18.50

SECTION 2. LONGEVITY PAY

Upon the recommendation of the appropriate department head and approval by the City Manager, a merit longevity pay increase may be granted. In the case of an eligible Department Head the City Manager will recommend and approve. Upon implementation, an employee may receive less than the plan specifies.

The increase is not automatic upon the completion of 5, 10, 15, 20 years of full time service, but is awarded on merit as listed in the table below.

5 years continuous full time service	=	2 ½%	Of "E" Step
10 years continuous full time service	=	5%	Of "E" Step
15 years continuous full time service	=	7 ½%	Of "E" Step
20 years continuous full time service	=	10%	Of "E" Step

If an employee is eligible for longevity increase and due to a promotion is on a step other than E step, the longevity pay shall be calculated on the employee's present salary.

SECTION 3. HEALTH INSURANCE AND OPTIONAL BENEFITS PLAN

Every eligible full-time or regular part time employee who receives City benefits must be covered by a health insurance plan approved by the City. The City will contribute \$100 per month, as of July 1, 1996, per eligible employee for the approved health care plan of the employee's choice. The City shall contribute an additional \$1,210 per month per eligible full-time employee and \$555 per month per eligible regular part time employee, to an Optional Benefit Plan which the employee may receive as cash or may elect to use for medical, dental, vision insurance, or other such benefits as may be approved by the City Manager, as of June 19, 2016. Full time and regular part time employees who are covered by a health plan not sponsored by the City and who; therefore, do not use the City's \$100 contribution for health care coverage shall have that \$100 added to their Optional Benefits Plan. This plan is maintained for the exclusive benefit of employees and their dependents and is established with the intention of being maintained for an indefinite period of time.

SECTION 4. LIFE INSURANCE AND LONG-TERM DISABILITY INSURANCE

The City shall provide, at no cost to the employee, term life insurance in the amount of \$25,000 to all full-time employees and eligible regular part-time employees.

Additionally, in lieu of the employees participating in the State Disability Insurance Program, the City shall provide long-term disability insurance for all full-time and eligible regular part-time employees, which benefits are equal to or exceed those provided under State Disability Insurance.

These insurance plans are maintained for the exclusive benefit of full-time and eligible regular part-time employees, and are established with the intention of being maintained for an indefinite period of time. The specific terms and conditions of said insurance plans should be determined and approved by the City Manager.

SECTION 5. DEFERRED COMPENSATION

To encourage employees to participate in the optional deferred compensation program offered by the City, the City shall provide a matching contribution up to a maximum amount. For full time employees the City shall match the employee's contribution on a dollar for dollar basis to a maximum of \$100.00 (one hundred and dollars) per month. For regular part time employees the City shall match the employee's contribution on a dollar for dollar basis to a maximum of \$50.00 (fifty dollars) per month. The deferred compensation matching program is maintained for the exclusive benefit of full time and regular part time employees and is established with the intention of being maintained for an indefinite period of time. The specific terms and conditions of the program shall be determined and approved by the City Manager. Effective June 22, 2014 the City Council

took action to re-instate the deferred compensation match program which had previously been suspended since August 14, 2012.

SECTION 6. ADMINISTRATIVE LEAVE

Administrative Leave shall be granted to certain management personnel that are exempt from overtime compensation under Fair Labor Standards Act guidelines. The specific terms and conditions of the program shall be determined and approved by the City Manager.

SECTION 7. CAR ALLOWANCES

The following positions shall receive a monthly allowance for car expenses:

<u>Title</u>	<u>Monthly Allowance</u>
City Manager	\$400.00
Assistant City Manager for Community Dev.	\$250.00
Assistant City Manager/Dir Administrative Services	\$250.00
Director of Parks & Recreation	\$250.00
Director of Public Works	\$250.00
Building & Safety Superintendent	\$250.00
Recreation Manager	\$200.00
Senior Engineer	\$200.00
Associate Engineer	\$200.00
Facilities Manager	\$200.00
Planning Manager	\$200.00
Senior Planner	\$200.00
Associate Planner	\$200.00
Assistant Planner	\$200.00
Recreation Supervisor	\$200.00

SECTION 8. CELL PHONE/DATA ALLOWANCES

The following positions shall be eligible to receive a monthly allowance for personal cell phone expenses and data charges as listed pursuant to the provisions of the City Cell Phone Policy:

<u>Title</u>	<u>Cell Phone – Data Charges</u>	
City Manager	\$40.00	\$45.00
Assistant City Manager for Community Dev.	\$40.00	\$45.00
Assistant City Manager/Dir Administrative Services	\$40.00	\$45.00
Director of Parks & Recreation	\$40.00	\$45.00
Director of Public Works	\$40.00	\$45.00
Information Systems Applications Analyst	\$40.00	\$45.00
Building & Safety Superintendent	\$30.00	N/A
Recreation Manager	\$30.00	N/A
Senior Engineer	\$30.00	N/A

Facilities Manager	\$30.00	N/A
Senior Planner	\$30.00	N/A
Recreation Supervisor	\$30.00	N/A
Recreation Coordinator	\$30.00	N/A
Planning Manager	\$30.00	N/A

SECTION 9. NOTARY PUBLIC PAY

The City has needs of the service of a certified Notary Public to notarize City documents. An employee who has been designated by the City Manager to utilize their Notary Public Commission for this purpose shall receive a monthly stipend of \$75.00 per month.

SECTION 10. PUBLIC EMPLOYEES RETIREMENT SYSTEM

In August 1999 the City amended the PERS contract to the 2% @ 55 formula with the provision that if the Employer's rate is re-instated at some future time the employees would contribute a portion of their gross salary towards the cost of the enhanced retirement plan. On July 24, 2012, the City Council took action to further increase the employee's contribution over three consecutive years, beginning August 14, 2012. On June 11, 2013 the City Council adopted Resolution No. 2013-38 deferring further increases in employee contributions to June 22, 2014. Therefore, employee contributions rates shall be as follows:

- As of June 22, 2014 employees contribute the full 7% employee portion for PERS contribution.

In September 2012 the Governor signed into law AB340 which among other things created a new PERS pension formula for all new employees hired after January 1, 2013. New employees are enrolled in the 2% at 62 formula. New employees are all responsible for paying 50% of the "normal cost" of the plan as annually calculated by PERS.

PASSED, APPROVED AND ADOPTED this 28th, day of June, 2016.

Curtis W. Morris, Mayor City of San Dimas

ATTEST:

Debra Black, Assistant City Clerk

I, Debra Black, Assistant City Clerk, hereby certify that Resolution 2016-38 was adopted by the City Council of San Dimas at its regular meeting of June 28th, 2016 by the following vote:

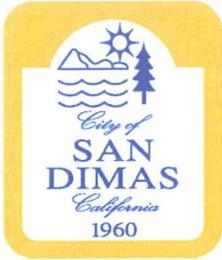
AYES:

NOES:

ABSENT:

ABSTAIN:

Debra Black, Assistant City Clerk



Agenda Item Staff Report

To: Honorable Mayor and Members of City Council
For the Meeting of June 28, 2016

From: Blaine Michaelis, City Manager

Initiated by: Krishna Patel, Director of Public Works *KMP*

Subject: Authorize Mayor to Submit Public Comment Letter to Federal Railroad Administration on the Train Horn Rule

SUMMARY

The Federal Railroad Administration (FRA) is soliciting public comment on whether the FRA should modify, streamline or expand any requirements of the FRA's locomotive train horn regulations to reduce paperwork and other economic burdens on the rail industry, States and local authorities while still keeping the highest standards of safety. Written comments must be received by July 5, 2016.

As the community concerns increase over the louder Metrolink train horns through the rail corridor and the resident's subsequent requests for a Quiet Zone in the City, Staff recommends that the City send a letter to the FRA to consider and evaluate such modifications of their regulations and requirements during this public comment period.

BACKGROUND

With the recent escalating community concerns on the louder Metrolink train horns through the rail corridor in the City and residents on-going demands to evaluate the possibility for implementation of a Quiet Zone in the City, Staff is providing Council with an overview of the Train Horn Rules. The Federal Railroad Administration's solicitation of public comments at this time provides San Dimas with an opportunity for the City to submit constructive comments to possibly achieve successful modifications or changes to the Train Horn Rule and Quiet Zone regulations and requirements.

To address an increase in and prevent future accidents at grade crossings throughout the United States, the Federal Railroad Administration (FRA) implemented regulations requiring the use of train horns at grade crossings. The Final Rule was issued in 2005 with some minor modifications in 2006, and is found at 49 CFR Part 222 ("Use of Locomotive Horns at Public Highway-Rail Grade Crossings"). This regulation specifies the pattern, decibel rating, and duration of the train horn.

Train Horn Requirement

49 CFR Part 222 Requirements for train horn at Public Highway-Rail Grade Crossings:

- Trains must begin to sound the train horn for a minimum of 15 seconds and a maximum of 20 seconds in advance of public grade crossings.
- The horn must sound in a standardized pattern: two long, one short and one long blast, and the horn must continue to sound until the lead locomotive or train car occupies the crossing.
- The minimum sound level for the locomotive horn is 96 dB(A) to 110 dB(A).

FRA requires the sounding of the train horn because of research conducted by the FRA that shows the use of train horns flashing lights, and gates in concert at grade crossings are extremely effective in preventing accidents and their resulting injuries and deaths. A study conducted by FRA showed there is a 66.8 percent increase in crossing collisions at crossings equipped with automatic warning devices consisting of flashing lights and gates when train horns are not routinely sounded.

FRA regulations do allow public authorities to establish Quiet Zones where train horns are not required to sound at Public Highway-Rail Grade Crossings if the crossings meet certain criteria which mitigate the additional risk incurred when train horns are not sounded.

The requirements of a Quiet Zone from the FRA include:

- Must be a minimum of ½ mile in length
- Contain at least one public grade crossing
- All the grade crossings must be equipped with automatic warning devices consisting of flashing lights and gates.
- Review and in essence approval of the quiet zone by a diagnostic team consisting of the FRA, Local Railroad operators (SCRRA, Metrolink, Union Pacific, etc.) Public Utility Commission-in California, and the local highway authority

However, because the FRA stipulates that the absence of routine horn sounding at public grade crossings increases the risk of a crossing collision, in most circumstances, the regulations require public authorities seeking to establish Quiet Zones mitigate this additional risk to an acceptable level. This in essence requires the installation of Supplemental Safety Measures which often include:

- Installation of raised roadway medians to discourage motorist from driving around lowered crossing gate
- A Four Quadrant Gate System to block all lanes of highway traffic
- Converting a two way street into a one-way street under certain conditions
- Closure of crossings
- Installation of pedestrian gate crossings

As an alternative to Quiet Zones, the FRA provides that communities may silence routine locomotive horns through the installation of wayside horns at public grade crossings. Wayside horns are stationary horns that are activated at the crossing as the train approaches. The horns are directed at highway traffic as a one-for-one substitute for train horns. A wayside horn may be installed at highway-rail crossings that have flashing lights, gates, constant warning time devices (except in rare circumstances), and power out indicators.

DISCUSSION/ANALYSIS

In 49 CFR 222, the FRA intentionally created a method for local communities to create a quiet zone in which train horns are not required to be sounded. The limited number of quiet zones especially in California where there are only 45 (of which most only silence freight train horns such as in the City of Pomona and the City of Industry) is an indication of the complexity and expense that stand as obstacles to their implementation.

Obstacles

These obstacles include:

- Duration of time it takes to implement the quiet zone (18 months to 9+ years)
- Local Authorities having to fund the installation of the crossing improvements
- Local Authorities having to fund the maintenance of the crossing improvements
- Local Authorities assuming liability for the Quiet Zone
- No guarantee that the Quiet Zone will be viable over time
- All of the above are applicable to Wayside Horns

From research and correspondence with other communities there is consensus that while seeking comment on the Train Horn Rule, the FRA is not likely to repeal the rule due to its safety record. Instead, localities are more likely to see successful modification of the train rule by submitting constructive comments during this public comment period.

Therefore, Staff proposes Council consider submitting a letter to the FRA requesting they consider various reasons to modify the current FRA rules and regulations. The following consists of several significant reasons we believe the FRA could study and

evaluate which would assist communities with the growing apprehensions over train horns:

1. Due to the impact of the train horn on local communities, the Federal Railroad Authority should assist in establishing funding mechanisms for paying for the improvements required in establishing and maintaining quiet zones.
2. Streamline the process for establishing a Quiet Zone.
3. Provide guarantee that once established the Quiet Zone will remain viable.
4. As the improvements mitigate the risk of collision, liability for a federally approved Quiet Zone should not be borne by the locality.
5. Train horns have a significant impact on the local community. An assessment of the impact on the local community should be factored into the analysis of the grade crossing.
6. Consideration should be given for the impact of the frequency and cumulative daily duration of train horns in the community.
7. Provide funding mechanism for researching and integrating new technologies that serve as alternatives to train horns.

RECOMMENDATION

Authorize the Mayor to submit a letter requesting the Federal Railroad Authority to study and evaluate significant reasons to consider and modify the FRA rules and regulations on Train Horn Rules (draft letter attached).

Respectfully submitted,



Krishna Patel
Director of Public Works

Attachment: Draft letter to FRA Regarding Train Horn Rule

City Council
CURTIS W. MORRIS, Mayor
EMMETT BADAR, Mayor Pro Tem
DENIS BERTONE
JEFF TEMPLEMAN
JOHN EBINER

City Manager
BLAINE M. MICHAELIS

Assistant City Manager
Treasurer/City Clerk
KENNETH J. DURAN



Assistant City Manager of
Community Development
LAWRENCE STEVENS

Director of Public Works
KRISHNA PATEL

Director of Parks
and Recreation
THERESA BRUNS

City Attorney
MARK W. STERES

June 22, 2016

Ron Ries
Staff Director, Highway-Rail Crossing and Trespasser Programs Division
Federal Railroad Administration, Office of Railroad Safety
Mail Stop 25, West Building 3rd Floor
1200 New Jersey Avenue SE.
Washington, DC 20590

Re: Notice of Safety Inquiry FRA-2016-0010-001

To Whom It May Concern,

On behalf of the City of San Dimas, I am writing to urge the FRA to consider the City's comments as part of the Quiet Zone rule evaluation. Currently, the City of San Dimas has five highway-grade crossings along Metrolink's San Bernardino line, which is the highest trafficked rail in Los Angeles County. Forty-four passenger and freight trains pass through San Dimas along the 2.5-mile rail corridor; starting at 4:45 A.M. and running as late as 11:00 P.M. Roughly 18% of residents live within 1,000 feet of the rail corridor and have been living with the nuisance of train horns for years.

The City has explored the possibility of establishing a Quiet Zone in the past and found the required measurements to be prohibitive. We believe the following changes could be made to the Train Horn Rule without decreasing safety at highway-grade crossing. The City of San Dimas would like to formally request the following changes be made to 49 CFR part 222:

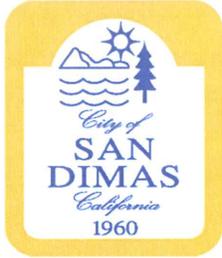
- Due to the impact of the train horn on local communities, the Federal Railroad Authority should assist in establishing a funding mechanism for paying for the improvements required in establishing and maintaining quiet zones. Perhaps, the burden of could be passed on to the operator of the rail service.
- Streamline the process for establishing a quiet zone. Including having the railroad as an ally during the comment period, and dedicating more railroad staff and staff time to the evaluation process.
- Provide guarantee that once established the quiet zone will remain viable indefinitely.

- As the improvements mitigate the risk of collision, liability for a federally approved quiet zone should not be borne by the locality
- Train horns have a significant impact on the local community. An assessment of the impact on the local community should be factored into the analysis of the grade crossing.
- Consideration should be given for the impact of the frequency and cumulative daily duration of train horns in the community (especially in a residential or urban environment).
- Provide funding mechanism for researching and integrating new technologies that serve as alternatives to train horns.

We thank you in advance for your consideration of each of the important reasons above. The City of San Dimas is grateful for the opportunity to partner with the Federal Rail Authority to work together to resolve the train horn concerns from a community who has been greatly impacted by the railroad.

Sincerely,

Curtis W. Morris
Mayor, City of San Dimas



Agenda Item Staff Report

Date: June 22, 2016

To: Honorable Mayor and Members of City Council
For the meeting of June 28, 2016

From: Blaine Michaelis, City Manager *BM*

Initiated by: Public Works Department

Subject: **Approval of the Final Mitigated Negative Declaration as Required to Obtain Los Angeles County Flood Control Easements for the re-alignment and reconstruction of Golden Hills Road through the San Dimas Debris Placement Site (a Flood Control Property)**

Summary

This Item has been continued from the June 14th meeting as a resident had expressed a concern regarding an oak tree. Item is for formal approval of the final Mitigated Negative Declaration (MND) prepared by the City's Environmental Consultant for the Golden Hills Road Reconstruction Project. The initial process of having the City's Environmental Subdivision Committee review and approve the MND was understood to be in accordance with the California Environmental Quality Act (CEQA). However, since Staff is working to acquire real property (easement) rights from the Los Angeles County Flood Control District (District) for the subject project, their internal process requires a formal Council approval of the MND.

BACKGROUND

For the past couple of years the City of San Dimas has been working closely with the City of La Verne and Los Angeles County on the coordination of the realignment and construction of Golden Hills Road between San Dimas Canyon Road in San Dimas and Linda Lane in La Verne. This collaborative project has been undertaken due to the existing road conditions of Golden Hills Road. It has been closed to through traffic since December 2010 and is opened for emergency vehicles only. This narrow low volume winding roadway with steep vertical slopes has experienced severe erosion and slides during storms and therefore for public safety has remained closed. In May 2014, the City and County came to an agreement where the County will allow the new roadway to be constructed through the San Dimas Debris Placement Site (SDDPS). This roadway would serve to restore alternate access for the residents of La Verne

Approval of the Final Mitigated Negative Declaration for the Golden Hills Road Reconstruction For the Council Meeting of June 28, 2016

and San Dimas, as well as the County for access to their major flood control facilities in the canyons above.

In exchange for allowing the City to build a roadway thru the SDDPS, the County has stipulated that the remaining northern portion of the SDDPS property lying north of the new roadway shall be maintained by the City (as shown on the attachment). In addition, the County did not waive any permit fees (plan check and inspection for the roadway) or the Staff time for review and preparation of any legal description and maps for approval of acceptance by the Board of Supervisors.

Environmental Review/Approval Process

The draft of the Initial Study Mitigated Negative Declaration (draft IS-MND) was presented to the City's Environmental Committee for review at the November 3, 2015 meeting. At that time, it was requested to have the document return for the committee's review after the consultation was completed per Assemble Bill 52 of 2014.

Tree Mitigation

At the November 12, 2015 Development Plan Review Board meeting, the board reviewed and approved Tree Permit Number 15-54 which allows for the removal of up to 70 trees with a reduced tree replacement of a 1:1 ratio for trees located in San Dimas and a ratio of 2:1 for trees in La Verne.

At the June 23, 2016 Development Plan Review Board meeting, the board reviewed and approved an amendment to Tree Permit Number 15-54 which allows for fifteen (15) of the replacement trees to be Coast Live Oaks due to LA County conditions on their property.

Other Comments

The draft IS-MND document was revised based on comments received by the Los Angeles County Department of Public Works. Comments were also received by a City of La Verne resident and the responses to her comments are included in the document. In addition, per AB 52, the City consulted with the Gabrieleno Band of Mission Indians – Kizh Nation. Based on evaluation, the City believes the project will have zero to very low impact to cultural resources, but in a good faith effort, the City agreed to retain one Native American monitor during the grading construction activities related to this project.

The revised Initial Study Mitigated Negative Declaration (IS-MND) was presented to the City's Environmental Committee for review at the April 27, 2016 meeting. The committee made no additional comments to address regarding the document.

The IS-MND was released for public and agency review on April 29, 2016, and the 30-day review and comment period ran through May 31, 2016. Over one hundred and twenty (120) property owners which included the property owners within a 300-foot radius of the project location and others the City of La Verne requested to be included were notified via US Mail of the public hearing process and public review period. Though there was an opportunity for public comment, no questions or comments were received regarding the content of the IS-MND. According to our Environmental Consultant, nothing in the content of comments received or the response to comments triggered the need to recirculate the Draft MND, nor is the preparation of an environmental impact report (EIR) necessary. The Final MND contains a copy of the comments, as well as responses to those comments. Since the Final MND document is comprised of approximately 320 pages (to conserve paper), a copy of the entire document is

Approval of the Final Mitigated Negative Declaration for the Golden Hills Road Reconstruction For the Council Meeting of June 28, 2016

available at the Councils mail room at City Hall as well as at the Public Works Department counter at City Hall. Attached is the Mitigation Monitoring and Reporting Program (MMRP) which lists the mitigation measures identified in the IS-MND.

City Council Review/Approval Process

On May 3, 2016, Staff attended a meeting with the County's staff to discuss requirements to proceed with the District's Board of Supervisors (Board) approval of the easements necessary for this project. It was brought to Staff's attention that as part of the Board's approval and adoption requirements they needed a formal approval of the Mitigated Negative Declaration (MND) from Council.

The County's internal process to reduce liability requires formal approval of the MND and payment of associated fees. Not having an approved MND prohibits the City from entering into contracts, including but not limited to acquiring real property rights.

The review and approval of the MND was presented to Council at the June 14, 2016 meeting, but it was decided to have the item continued to the following meeting due to concerns brought up by an attendee at the meeting. Mr. Michael Huff, a resident of La Verne, voiced his concerns regarding the Golden Hills Road Realignment Reconstruction Project and Staff's lack of follow up on sharing the alternative for the realignment of the roadways as was recommended at the November 12, 2015 DPRB meeting. Mr. Huff's primary concern was the design of the proposed alignment and how it affects a mature oak tree near his property (Tree #2 as identified in the MND).

ANALYSIS

On Thursday, June 16, 2016, Staff initially met with Mr. Huff at the intersection of Golden Hills Road and Linda Lane to review and address his concern regarding an oak tree (Tree #2). When meeting Mr. Huff, Staff explained the design and thought process for this project. We showed him the alternate realignment designs that were considered and reviewed with another La Verne resident who had also attended the DPRB meeting along with Mr. Huff. Apparently there was a misunderstanding with Mr. Huff about Staff's previous communication to him regarding our invitation to review the alternate alignment plans at City Hall.

Staff further elaborated on the engineering background and design standards that San Dimas considered as part of final design which include the following:

- Horizontal Alignment
- Vertical Alignment
- Intersection Characteristics
- Line of Sight
- Tree Impacts
- Utility Pole

(attached is a detailed list of those engineering design standards considered). Mr. Huff was given a copy of this detailed list, along with a copy of the most recent design plans that he requested. Staff clarified that the proposed realignment of Golden Hills Road (as shown on the most recent design plans) is located in the least environmentally impactful location.

On Wednesday, June 23, 2016, Staff met with Mr. Huff once again at the intersection of Golden Hills Road and Linda Lane. The proposed improvements were laid out and marked by a City land surveyor. As shown in the attached photo of Tree #2 shown on the left side of the photo,

Approval of the Final Mitigated Negative Declaration for the Golden Hills Road Reconstruction
For the Council Meeting of June 28, 2016

the distance from the edge of the tree trunk and the line of the proposed retaining wall (identified with the blue colored ribbon) is approximately five (5) feet. Due to the excavation for the retaining wall and its footing, the root system of the tree may be disturbed. It appeared Mr. Huff had a better understanding on the design of the proposed realignment of Golden Hills Road and he also understands that the tree in question (Tree #2) may be affected by the construction of the proposed roadway. However, based on the survey and since the roadway improvements do not go directly through the tree in question, the subject tree will remain in place even though there may be some risk of it not surviving if the root system is impacted by the project.

Since the survey has confirmed the distance between the trunk of the tree and the proposed retaining wall is approximately five (5) feet, Mr. Huff was very pleased with the outcome of our effort. He now understands what we are trying to design and construct within the constraints on Golden Hills Road.

In addition, consideration to file a Notice of Determination (NOD) and pay fees (approximately \$2,500) to the Department of Fish and Wildlife was deemed necessary in the professional opinion of the Environmental Consultant due to the mature tree removals. This shall be filed within five (5) days following the Councils approval of the IS-MND.

RECOMMENDATION

Staff recommends that City Council approve the final Mitigated Negative Declaration (MND) as required to move forward with obtaining easements from the Los Angeles County Flood Control District (District) for the road construction of Golden Hills Road through the county property.

Respectfully Submitted,



Steven Barragan
Associate Engineer

06-16-24 sb

Attachment: Easement Area to be Maintained by City of San Dimas Exhibit
Mitigation Monitoring and Reporting Program (MMRP)
Golden Hills Road Realignment Design Considerations
Photo of Oak Tree (Tree #2)

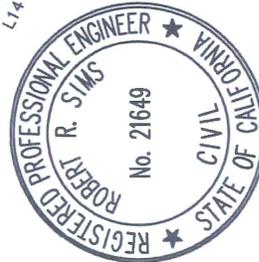
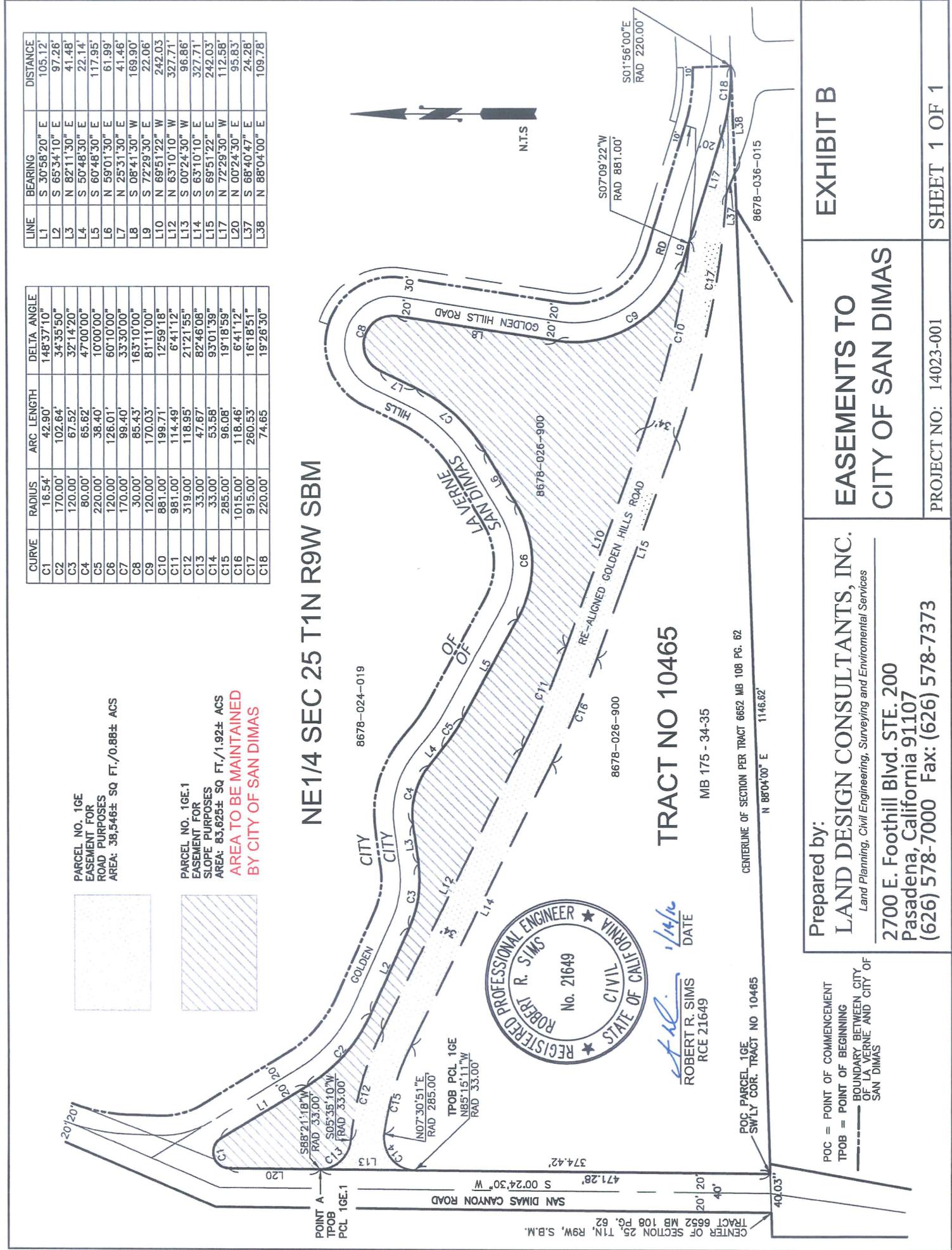
LINE	BEARING	DISTANCE
L1	S 30°58'20" E	105.12'
L2	S 65°34'10" E	97.26'
L3	N 82°11'30" E	41.48'
L4	S 50°48'30" E	22.14'
L5	S 60°48'30" E	117.95'
L6	N 59°01'30" E	61.99'
L7	N 25°31'30" E	41.46'
L8	S 08°41'30" W	169.90'
L9	S 72°29'30" E	22.06'
L10	N 69°51'22" W	242.03'
L12	N 63°10'10" W	327.71'
L13	S 00°24'30" W	96.86'
L14	S 63°10'10" E	327.71'
L15	S 69°51'22" E	242.03'
L17	N 72°29'30" W	112.58'
L20	N 00°24'30" E	95.83'
L37	S 68°40'47" E	24.28'
L38	N 88°04'00" E	109.78'

CURVE	RADIUS	ARC LENGTH	DELTA ANGLE
C1	16.54'	42.90'	148°37'10"
C2	170.00'	102.64'	34°35'50"
C3	120.00'	67.52'	32°14'20"
C4	80.00'	65.62'	47°00'00"
C5	220.00'	38.40'	10°00'00"
C6	120.00'	126.01'	60°10'00"
C7	170.00'	99.40'	33°30'00"
C8	30.00'	85.43'	163°10'00"
C9	120.00'	170.03'	81°11'00"
C10	881.00'	199.71'	12°59'18"
C11	981.00'	114.49'	6°41'12"
C12	319.00'	118.95'	21°21'55"
C13	33.00'	47.67'	82°46'08"
C14	33.00'	53.58'	93°01'39"
C15	285.00'	96.08'	19°18'59"
C16	1015.00'	118.46'	6°41'12"
C17	915.00'	260.53'	16°18'51"
C18	220.00'	74.65'	19°26'30"

PARCEL NO. 1GE
EASEMENT FOR
ROAD PURPOSES
AREA: 38,546± SQ FT./0.88± ACS

PARCEL NO. 1GE.1
EASEMENT FOR
SLOPE PURPOSES
AREA: 83,625± SQ FT./1.92± ACS
**AREA TO BE MAINTAINED
BY CITY OF SAN DIMAS**

NE1/4 SEC 25 T1N R9W SBM



TRACT NO 10465
MB 175 - 34-35
DATE 1/14/16
ROBERT R. SIMS
RCE 21649

Prepared by:
LAND DESIGN CONSULTANTS, INC.
Land Planning, Civil Engineering, Surveying and Environmental Services
2700 E. Foothill Blvd. STE. 200
Pasadena, California 91107
(626) 578-7000 Fax: (626) 578-7373

**EASEMENTS TO
CITY OF SAN DIMAS**

PROJECT NO: 14023-001

EXHIBIT B

Mitigation Monitoring and Reporting Program

This document is the Mitigation Monitoring and Reporting Program (MMRP) for the Golden Hills Road Reconstruction Project, proposed in the City of San Dimas, California. Public Resources Code Section 21081.6(a)(1) requires that a Lead Agency adopt an MMRP before approving a project in order to mitigate or avoid significant impacts that have been identified in Mitigated Negative Declaration (IS-MND). The purpose of the MMRP is to ensure that the required mitigation measures identified in the IS-MND are implemented as part of the overall project implementation. In addition to ensuring implementation of mitigation measures, the MMRP provides feedback to agency staff and decision-makers during project implementation, and identifies the need for enforcement action before irreversible environmental damage occurs.

The following table summarizes the mitigation measures for each issue area identified in the IS-MND for the project. The table identifies each mitigation measure; the action required for the measure to be implemented; the time at which the monitoring is to occur; the monitoring frequency; and the agency or party responsible for ensuring that the monitoring is performed. In addition, the table includes columns for compliance verification. Where an impact was identified to be less than significant, no mitigation measures were required.



Golden Hills Road Reconstruction Project Initial Study - Mitigated Negative Declaration
Mitigation Monitoring and Reporting Program

Mitigation Measure/Condition of Approval	Action Required	When Monitoring to Occur	Monitoring Frequency	Responsible Agency or Party	Compliance Verification		
					Initial	Date	Comments
<p>BIOLOGICAL RESOURCES</p> <p>BIO-1 Pre-Construction Sensitive Wildlife Survey and Impact Avoidance. No more than seven days prior to the start of construction, a City-approved biologist shall conduct general wildlife surveys of the development footprint and habitat within a 50-foot buffer. If any special status species are found in this area, avoidance measures would be developed in coordination with the biologist and appropriate agencies, if necessary. No work shall be authorized until these surveys have been conducted. A summary report of the survey shall be provided to the City within 30 days of completion of the survey. Prior to the issuance of a grading permit, the Applicant shall provide a signed contract with a City-approved biologist that guarantees that a preconstruction wildlife survey will be conducted within seven days of any land disturbing (e.g., grading and vegetation clearance) activities.</p>	Complete pre-construction wildlife survey	Prior to the commencement of grading.	One time activity	City of San Dimas Public Works Department			
<p>BIO-2 Nesting Bird Surveys and Nest Avoidance. To the extent feasible, vegetation clearing or tree removal shall be scheduled prior to the start of bird breeding season. However, if vegetation clearing or tree removal is to be initiated during the bird breeding season (February 1 through August 31), then pre-construction/grading surveys shall be conducted by a City-approved biologist. Surveys shall begin at least 7 days prior to the initial disturbance. If a nesting bird is located, consultation with the local CDFW representative shall occur to determine what avoidance actions may be taken. If any active non-raptor bird nests are found, a suitable buffer area (varying from 25-300</p>	Complete pre-construction nesting bird survey	Prior to commencement of any brush clearing or grading activities.	Once prior to issuance of grading permits. If nesting birds are found, periodic consultation with on-site biologist shall occur to ensure compliance.	City of San Dimas Public Works Department			

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<p>feet), depending on the particular species found, shall be established from the nest, and that area shall be avoided until the nest becomes inactive (vacated). If any active raptor bird nests are found, a suitable buffer area of typically 250-500 feet from the nest shall be established, and that area shall be avoided until the nest becomes inactive (vacated). Limits of construction to avoid a nest shall be established in the field with flagging and stakes or construction fencing. Construction personnel shall be instructed on the sensitivity of the area. Encroachment into buffers around active nests may be conducted with monitoring by a City-approved biologist. If construction activities are delayed after the survey has been conducted, then an additional nesting bird survey must be conducted such that no more than 7 days have elapsed between the last survey and the commencement of construction activities. The Applicant shall document the results of the recommended protective measures described above to document compliance with applicable state and federal laws pertaining to the protection of nesting birds. Prior to the issuance of a grading permit, the Applicant shall provide a signed contract with a City-approved biologist that guarantees that a nesting bird survey will be conducted 7 days prior to any tree or vegetation removal during the breeding season.</p>	<p>Complete pre-construction bat survey</p>	<p>Prior to commencement of any tree removal or grading activities</p>	<p>Once prior to issuance of grading permits If nesting birds</p>	<p>City of San Dimas Public Works Department</p>			
<p>BIO-3 Bat Pre-Construction Surveys and Impact Avoidance. To the extent feasible, tree removal shall be scheduled during the non-maternity season for the western mastiff bat (<i>Eumops perotis</i>)</p>							

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<p>californicus) and Yuma Myotis (Myotis yumanensis) (typically August 1 through May 15 for these species).</p> <p>If tree removal is required during the maternity roosting season (typically May 15 through July 30), bat surveys shall be conducted by a qualified bat specialist no more than seven days prior to the removal of any trees or work on project site. Surveys shall be conducted using acoustic detectors and by searching suitable habitat areas including tree cavities, peeling bark, crevices, and other areas where the western mastiff bat and Yuma Myotis maternity roosts may be present. If no maternity roosts are detected, then no further surveys are required provided the tree removal is conducted within seven days. If removal is delayed more than 7 days, additional surveys shall be conducted no more than 7 days prior to tree removal to ensure that no bats have moved into the area during the maternity roosting season.</p> <p>If bats are found maternally roosting in tree branches within the study area, then the following measures shall be implemented to reduce the potential for disturbance:</p> <p>Non-breeding bats shall be safely evicted under the direction of a bat specialist and under consultation with the CDFW. No tree demolition shall be conducted until bats have been safely evicted from the tree. The bat specialist shall monitor and document all tree demolition, bridge work, and implementation of avoidance measures, and shall prepare a summary report upon completion of these activities. This report</p>			<p>are found, periodic consultation with on-site biologist shall occur to ensure compliance</p>				

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<p>shall be submitted to the City and CDFW.</p> <ul style="list-style-type: none"> Exclusionary measures are anticipated to prevent maternal colonies from becoming established in the project site. However, if a maternal colony of bats is found in the construction area, no work shall be conducted within 100 feet of the roosting site until the maternal season is over or the bats have left the site. The site shall be designated as a sensitive area, and shall be protected as such until the bats have left the site. No clearing and grubbing shall occur adjacent to the site. Combustion equipment, such as generators, pumps, and vehicles, shall not be parked nor operated under or adjacent to the roosting site. Construction personnel shall not enter into areas beneath the colony, especially during the evening exodus. <p>Prior to the issuance of a grading permit, the Applicant shall provide a signed contract with a City-approved biologist that guarantees that at least one pre-construction maternity bat roost survey will be conducted within seven days of any land disturbing activities during the maternity roosting period. A report of survey efforts shall be submitted to the City within 30 days of completion of the surveys to document compliance. The report shall include the dates, times, weather conditions, and personnel involved in the surveys, and if maternity roosts are observed and avoided.</p>							

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<p>BIO-4 Riparian Habitat Protection Setback. To avoid impacts to the sensitive and riparian communities in San Dimas Canyon Creek, all development, ground disturbances, construction staging, and vegetation removal shall be prohibited within 60 feet of San Dimas Canyon Creek's top-of-bank or the edge of the riparian vegetation (whichever is greater). The Contractor shall install temporary fencing (e.g., orange construction fencing) at western edge of San Dimas Canyon Road, adjacent to San Dimas Canyon Creek. The City of San Dimas, as the project proponent, or the City's consulting engineer shall illustrate the riparian habitat area and required fencing on all grading and site plans. The City's consulting engineer shall submit the grading and site plans depicting the riparian setback and fencing location to the City of San Dimas for review and approval prior to the issuance of a grading permit. The Contractor shall install the fencing prior to any vegetation removal, ground disturbance activities, or construction activities (whichever occurs first). The Contractor shall maintain the fencing in place until construction is complete. The City of San Dimas has the authority to inspect the site to confirm that the fencing stays in place in accordance with the approved plans.</p>	<p>Locate construction staging outside of San Dimas Creek</p> <p>Prepare construction drawings identifying creek setback area</p> <p>Install fencing to establish 60 foot creek buffer</p>	<p>Prior to issuance of a grading permit and during construction</p>	<p>Once prior to approval of grading permits and ongoing during construction</p>	<p>City of San Dimas Public Works Department; project general contractor</p>			
<p>BIO-5 Washout Areas Near Sensitive Habitat. The purpose of this mitigation measure is to avoid impacts to off-site San Dimas Canyon Creek's sensitive and riparian communities from the washing of construction equipment. During construction, the Contractor may wash concrete trucks, paint, equipment, or conduct similar activities only in areas where polluted water and</p>	<p>Establish concrete wash out area at least 100 feet away from San Dimas Creek</p>	<p>Prior to issuance of a grading permit and during construction.</p>	<p>Once prior to approval of grading permits and ongoing during construction</p>	<p>City of San Dimas Public Works Department; project general contractor</p>			

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<p>materials can be contained for subsequent removal from the site. Washing is not allowed near native or non-native specimen tree designated. The Contractor shall not discharge any wash water to storm drains, streets, drainage ditches, or San Dimas Canyon Creek. The Contractor shall ensure that areas designated for washing functions shall be at least 100 feet from any storm drain or San Dimas Canyon Creek. The Contractor shall clearly designate location(s) of the washout area(s) at the construction site with signs. The City of San Dimas, as the project proponent, or the City's consulting engineer shall designate an acceptable washout area and this area shall be shown on the site and grading plans. The Contractor shall establish the washout area(s) prior to, and maintain the washout area(s) throughout, grading and construction. Prior to issuance of a grading permit, the City's consulting engineer shall submit the site and grading depicting the wash-out areas plans to the City of San Dimas for review and approval. The City of San Dimas has the authority to conduct periodic site inspections to ensure compliance throughout the construction period.</p>	<p>Prepare Tree Protection Plan</p>	<p>Prior to issuance of a grading permit</p>	<p>Once prior to approval of grading permits and ongoing during construction</p>	<p>City of San Dimas Public Works Department; project general contractor</p>			
<p>BIO-6 Tree Protection Plan. For any mature significant tree not permitted for removal, protection against encroachment for the length of the project shall be implemented. The City of San Dimas, as the project proponent, shall review and approve a Tree Protection Plan that at a minimum contains the following measures for protecting mature significant trees (not removed by construction activities) but within the within areas of grading or ground</p>							

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<p>disturbance:</p> <ol style="list-style-type: none"> All trees to be saved shall be enclosed by an appropriate construction barrier, such as chain link fence or other means acceptable to the director of development services, prior to the issuance of any grading or building permit and prior to commencement of work. Fences are to remain in place during all phases of construction and may not be removed without the written consent of the director of development services, until construction is complete (City Municipal Code § 18.162.110); Where grading or any other similar activity is to occur within an oak tree Tree Protection Zone (TPZ), a qualified arborist shall supervise all excavation or grading proposed within the TPZ to document compliance of all conditions imposed in connection with the Tree Removal Permit. A tree's TPZ is defined as a minimum distance of fifteen feet (15') from the trunk of the tree or five feet (5') outside the dripline of the tree, whichever distance is greater; Trees on the project site not within the development footprint shall be protected with chain link fencing thus restricting storage, machinery storage or access during construction; Corrective measures for trees requiring remedial action shall be taken, including pest control, pruning, fertilizing and similar actions; and Prior to issuance of a grading permit, the City's consulting engineer in consultation with a qualified biologist and/or certified arborist shall prepare and submit a Tree 							

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Protection Plan that incorporates the above protection measures to the City for review and approval.						
<p>BIO-7: Tree Replacement Plan. Prior to the issuance of grading permits, the City of San Dimas shall approve a tree replacement plan that replaces the 28 mature significant trees removed within the City of San Dimas at a 1:1 ratio. Any mature trees that are removed within the City of La Verne shall be replaced at a 2:1 ratio. The tree replacement plan shall be reviewed and approved by the Development Plan Review Board prior to implementation. All replacement trees shall be planted outside of the Los Angeles County Flood Control District's property boundaries for SDSPS and shall not be planted with any features that increase the LACFCD's regulatory burden for the maintenance, repair, or rehabilitation of the SDSPS. All replacement trees shall be at least 15-gallons in size. Oak tree replacement shall be from locally indigenous plan material. Invasive (e.g., Cal-IPC listed) replacement trees are prohibited. After installation of the replacement trees and for a period of two years after planting, the City shall require maintenance and monitoring by a qualified arborist to ensure long-term survivorship of the mitigation plantings. If mortality of the planted trees occurs within the two year monitoring period, replacement trees shall be immediately installed.</p>	<p>Approve Tree Replacement Plan</p> <p>Monitor and approve tree replacement during construction</p>	<p>Prior to issuance of significant tree removal</p>	<p>Once prior to approval of grading permits and once prior to completion of construction</p>	<p>City of San Dimas Public Works Department;</p>		
<p>CULTURAL RESOURCES</p> <p>CR-1 Cultural Resources. If inadvertent discoveries of cultural resources are encountered at any time during construction,</p>	<p>Verify that construction contractor stops work, notifies Public Works</p>	<p>During grading activities and site construction</p>	<p>Ongoing during site grading and construction</p>	<p>City of San Dimas Public Works</p>		

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these materials and their context shall be avoided until a qualified archeologist and a representative from the Gabrieleño Band of Mission Indians-Kizh Nation have consulted with the City of San Dimas regarding appropriate avoidance and mitigation measures for the newly discovered resource. Construction personnel shall not collect or retain pre-historic resources. Prehistoric resources include, but are not limited to: lithic flakes; projectile points; mortars and pestles; dark, friable soil containing shell or bone; dietary debris; heat-affected rock; or human burials. Pursuant to California Public Resources Code §21083.2(b), avoidance is the preferred method for preservation for archeological resources.	Department, and complies with all other applicable provisions of this mitigation measure if any archaeological resources are uncovered during grading and construction			Department			
CR-2 Cultural Resources. All sacred sites, should they be encountered, shall be avoided and preserved to the maximum extent feasible.	Avoid any sacred sites, should they be encountered	During grading activities and site construction	Ongoing during site grading and construction	City of San Dimas Public Works Department			
CR-3 Cultural Resources. The City of San Dimas, in consultation with the qualified archaeologist, will consult with the Gabrieleño Band of Mission Indians – Kizh Nation regarding the treatment and disposition of all Native American or prehistoric cultural resources that are found within the project alignment.	Complete consultations with Gabrieleño Band of Mission Indians – Kizh Nation if prehistoric cultural resources are identified during construction	During grading activities and site construction	Ongoing during site grading and construction	City of San Dimas Public Works Department			
CR-4 Paleontological Resources. If any paleontological resource (i.e. plant or animal fossils) are encountered before or during grading, the developer will retain a qualified paleontologist to monitor construction activities, to take appropriate measures to protect or preserve them for study. The paleontologist shall submit a report of findings that will also provide specific recommendations regarding	Retain qualified paleontologist if fossils are identified and take steps identified in mitigation measure	During grading activities and site construction	Ongoing during site grading and construction	City of San Dimas Public Works Department			

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<p>further mitigation measures (i.e., paleontological monitoring) that may be appropriate. Where mitigation monitoring is appropriate, the program must include, but not be limited to, the following measures:</p> <ul style="list-style-type: none"> Assign a paleontological monitor, trained and equipped to allow the rapid removal of fossils with minimal construction delay, to the site full-time during the interval of earth-disturbing activities. Should fossils be found within an area being cleared or graded, divert earth-disturbing activities elsewhere until the monitor has completed salvage. If construction personnel make the discovery, the grading contractor should immediately divert construction and notify the monitor of the find. Prepare, identify, and curate all recovered fossils for documentation in the summary report and transfer to an appropriate depository (i.e., Los Angeles County Museum of Art (LACMA)). Submit summary report to City of San Dimas. Transfer collected specimens with a copy of the report to the Los Angeles County Museum of Art (LACMA). 							
<p>HYDROLOGY AND WATER QUALITY</p> <p>HWQ-1 Stormwater Pollution Prevention. The City's consulting engineer shall prepare a Storm Water Pollution Prevention Plan (SWPPP) for review and approval by the City Engineer prior to the issuance of grading permits. This SWPPP shall identify Best</p>	<p>Prepare SWPPP and file Notice of Intent with SWRCB</p>	<p>Prior to issuance of grading permits</p>	<p>Once prior to issuance of grading permits</p>	<p>City of San Dimas Public Works Department</p>			

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<p>Management Practices (BMPs) that shall be used on-site to reduce pollutants during construction activities entering the storm drain system to the maximum extent practicable. If construction activity will disturb a ground surface area of one-acre or the project results in the disturbance of less than one-acre of soil but is part of a larger common plan of development or site that exceeds one-acre, then the project is subject to the requirements of the California General Permit for Storm Water Discharges Associated with Construction Activity. A Notice of Intent (NOI) is required to be filed with the State Water Resources Control Board (SWRCB) and a SWPPP is required to be prepared, implemented and available at the job site for review and verification at all times for such projects.</p>	<p>Prepare erosion control plan</p>	<p>Prior to issuance of grading permits</p>	<p>Once prior to issuance of grading permits</p>	<p>City of San Dimas Public Works Department</p>			
<p>HWQ-2 Erosion Control. City's consulting engineer shall prepare an erosion control plan as part of the grading plan for review and approval by the City Engineer prior to the issuance of grading permits. The plan shall identify specific measures to control on-site and off-site erosion from the time ground disturbing activities are initiated through completion of grading. This erosion control plan shall include the following measures at a minimum: a) Specify the timing of grading and construction to minimize soil exposure to rainy periods experienced in southern California, and b) An inspection and maintenance program shall be included to ensure that any erosion which does occur either on-site or off-site as a result of this project will be corrected through a remediation or restoration program within a specified time frame.</p>							

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HWQ-3 Erosion Control. During construction, temporary berms such as sandbags or gravel dikes must be used to prevent discharge of debris or sediment from the site when there is rainfall or other runoff.	Install temporary berms, sandbags and other BMPs to control debris or sediment runoff	Prior to issuance of grading permits	Once prior to issuance of grading permits and ongoing during construction	City of San Dimas Public Works Department		
HWQ-4 Sediment Control. During construction, to remove pollutants, street cleaning will be performed prior to storm events and the use of water trucks after storm events to control dust in order to prevent discharge of debris or sediment from the site.	Perform street cleaning as necessary	During construction	Ongoing during construction	City of San Dimas Public Works Department		
HWQ-5 Water Quality Management. Prior to issuance of building permits, the City's consulting engineer shall submit to the City Engineer for approval of a Water Quality Management Plan (WQMP), including a project description and identifying Best Management Practices (BMPs) that will be used on-site to reduce pollutants into the storm drain system to the maximum extent practicable. The WQMP shall identify the structural and non-structural measures.	Prepare a Water Quality Management Plan	Prior to issuance of grading permits	Once prior to issuance of grading permits	City of San Dimas Public Works Department		
HWQ-6 NPDES Compliance. Prior to issuance of grading or paving permits, the City of San Dimas, as the project proponent, shall obtain a Notice of Intent (NOI) to comply with obtaining coverage under the National Pollutant Discharge Elimination System (NPDES) General Construction Storm Water Permit from the State Water Resources Control Board. Evidence that this has been obtained (i.e., a copy of the Waste Discharger's Identification Number) shall be submitted to the Los Angeles County Department of Public Works since the activity will occur with the SDSPS property, as well as the City Building Official for	Obtain General Construction Stormwater Permit from SWRCB	Prior to issuance of grading permits	Once prior to issuance of grading permits	City of San Dimas Public Works Department		

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coverage under the NPDES General Construction Permit.							
NOISE							
N-1 Construction Timing. Construction or grading shall not take place between the hours of dusk and 7:00 a.m. on weekdays, including Saturday, nor shall take place at any time on Sunday or a city observed holiday.	Monitor construction activities and prohibit construction as specified	During construction	Periodically during construction	City of San Dimas Public Works Department			
N-2 Construction Noise. Construction or grading noise levels shall not exceed the standards specified in Municipal Code Chapter 8.36. If noise levels exceed the above standards, then construction activities shall be reduced in intensity to a level of compliance with above noise standards or halted.	Perform site inspection to confirm compliance with this mitigation measure	During construction	Periodically during construction	City of San Dimas Public Works Department			
N-3 Haul Routes. Haul truck deliveries shall not take place between the hours of dusk and 7:00 a.m. on weekdays, including Saturday, nor shall take place at any time on Sunday or a city observed holiday. Additionally, if heavy trucks used for hauling would exceed 100 daily trips (counting both to and from the construction site), then the City of San Dimas, as the project proponent, or the City's consulting engineer shall prepare a noise mitigation plan denoting any construction traffic haul routes. To the extent feasible, the plan shall denote haul routes that do not pass sensitive land uses or residential dwellings.	Confirm and field verify compliance with this mitigation measure	During construction.	Periodically during construction	City of San Dimas Public Works Department			

GOLDEN HILLS ROAD REALIGNMENT

The San Dimas Public Works Department has once again re-evaluated the proposed roadway design and has determined that the existing design for the roadway meets best engineering design standards. The roadway alignment is designed to meet the American Association of State Highway and Transportation Officials (AASHTO) design standards for sight and stopping distance. The roadway design is in conformance with the Caltrans State Highway Design Manual for stopping and sight distance on crest vertical curves. The roadway is also in compliance with County of Los Angeles roadway design standards for hillside local streets. The design analysis and striping plans include a 3-way stop sign controlled intersection at Linda Lane to help reduce speeds along the roadway. The striping plans also provide signage and striping to safely transition from the existing Golden Hills Road segment from Wheeler Avenue to Linda Lane and to San Dimas Canyon Road. The existing and proposed segments of Golden Hills Road are designed to provide clear visibility/sight distance for vehicles and pedestrians at each driveway intersection and new speed signs will be added along the roadway to remind drivers to watch their downhill speeds and stop ahead notifications.

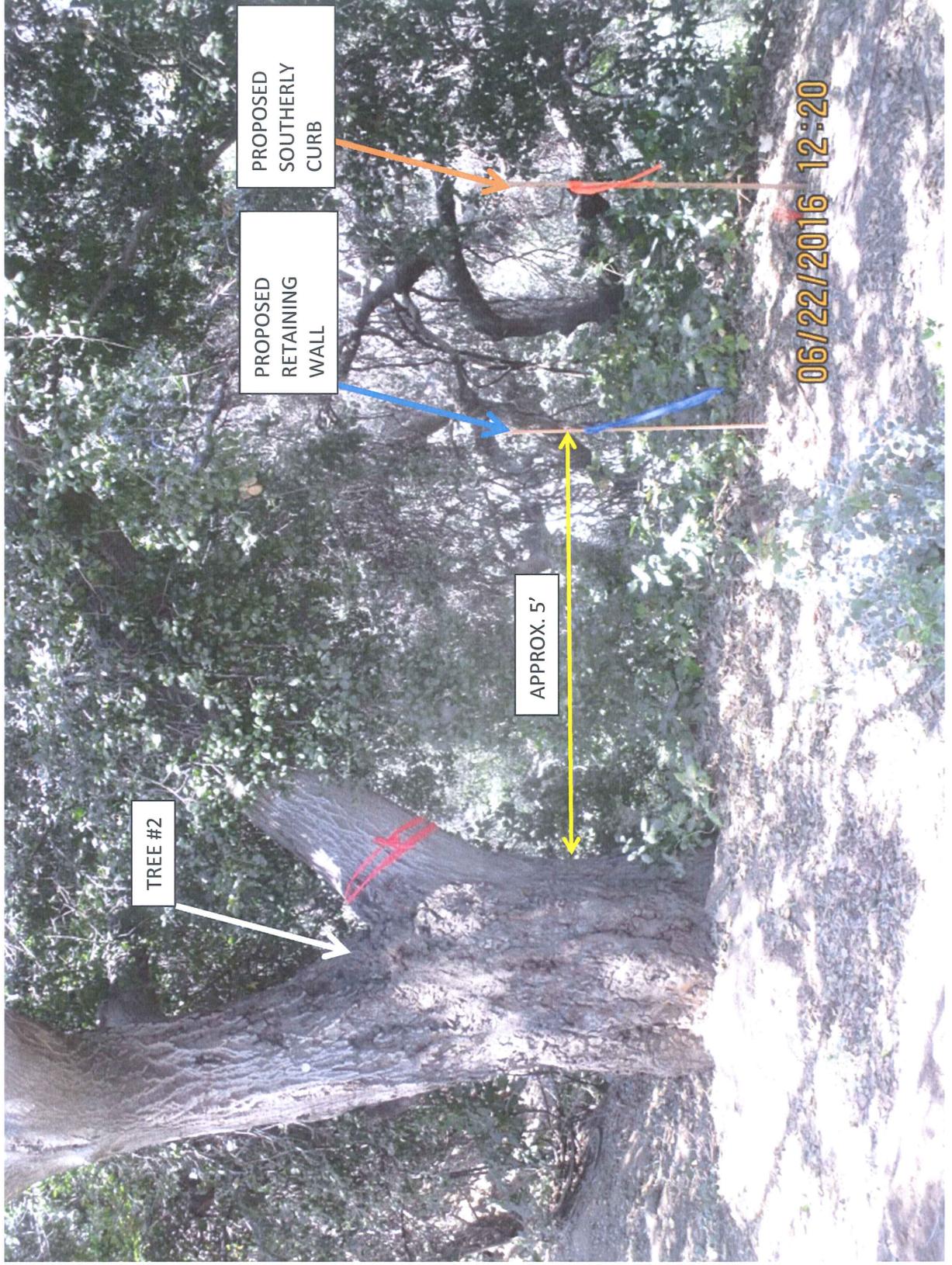
The following are details on some of engineering designs considered in the design of the roadway:

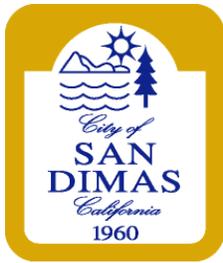
- a. **HORIZONTAL ALIGNMENT:** The existing design incorporates the best alignment in the east/west direction to match the existing centerline along the existing roadway on Golden Hills Road to the east of Linda Lane. This provides the best line-of-sight for drivers as they approach the intersection at Linda Lane from both directions on Golden Hills Road. Any other alignment may create an offset and/or oblique angles at the intersection raising concerns for obstructed line of sight for drivers and other traffic safety concerns.
- b. **VERTICAL ALIGNMENT:** The controlling factors for the vertical alignment of the roadway are the existing elevations that need to be matched. One elevation is at the far west end of the proposed roadway to match the roadway at San Dimas Canyon Road. Another elevation to match is at the far east end of the project at the existing intersection of Golden Hills Road and Linda Lane. The critical elevation to match is at the county's main entrance/exit to the debris placement site on the south side of the proposed roadway approximately 200 feet west of Linda Lane. The existing design provides the best fit vertical alignment (steepness of the roadway) that complies with the Fire department standards. In addition it also provides the best line-of-sight for drivers as they approach the intersection at Linda Lane from both directions on Golden Hills Road. The current design makes for a safer intersection. Other alignments would significantly increase the grades of the roadway and the vertical angles approaching may obstruct some lines of sight for drivers as well as other traffic safety concerns.
- c. **INTERSECTION CHARACTERISTICS:** Alternative alignments such as shifting the proposed roadway to the north would create an intersection bigger in dimension creating a longer distance for vehicles and pedestrians to cross. In addition, if the lowering of the existing roadway at the intersection of Linda Lane and/or just west of Linda Lane would be considered, then the existing utilities and existing drainage may be impacted.

- d. LINE OF SIGHT: Even though the intersection at Linda Lane and Golden Hills Road is designed to be a controlled intersection with Stop signs, line of sight for approaching motorist and motorist already at the intersection shall be considered. Under the existing design, vehicles approaching the intersection shall have a clear view of that intersection (including the Stop signs) and any vehicles already at the intersection.
- e. TREE IMPACTS: The existing design incorporates the best fit line to minimize disturbance of the existing trees. Any other design would impact other trees along the north side.
- f. UTILITY POLE: The current design does not affect the existing transmission line utility poles, but any other alignment will likely affect pole and may require a deeper and taller for stability.

In conclusion, prior to moving forward with the current design plans, the City had explored alternative alignments/designs, but due to the various factors mentioned above, the current plans reflect the best realignment design for the safest intersection at Linda Lane and roadway possible.

GOLDEN HILLS ROAD REALIGNMENT OAK TREE (TREE #2)





Agenda Item Staff Report

To: Honorable Mayor and Members of City Council
For the meeting of June 28, 2016

From: Blaine Michaelis, City Manager

Initiated by: Larry Stevens, Community Development Department

Subject: Approval of Transfer of Development Agreement from NJD, Ltd. to Brasada Homes Land, LLC and Transfer of Agreement to Modify Development Rights and Obligations for the Northern Foothills Project for 65 lot residential development project at the northerly terminus of Cataract Avenue.

SUMMARY

NJD has entered in escrow to sell the approved development project to Brasada Homes Land, LLC (“BLH”), a subsidiary of Grandway Asset Management, Inc.. The approved Development Agreement requires the City to approve a transfer.

Staff is meeting with representatives of BLH on Monday June 27 to confirm certain qualifications and related aspects of the requested transfer and will present a recommendation based on the information gathered at that meeting.

BACKGROUND

In December 2009 and January 2010 the City Council adopted, along with other approvals (i.e. General Plan Amendment, Specific Plan Amendment, Tentative Tracy Map, Final EIR), Ordinance No. 1202 approving the Development Agreement. Said Agreement provided that it may be transferred to another party with the consent of the City (see below excerpt):

7.7 Assignment. In executing this Agreement, City has relied upon the financial capabilities of Developer to construct and operate the Project. Accordingly, except for transfers to an affiliate, parent, or subsidiary entity of Developer or its partners which is controlled by Developer or such partners (which shall not require any consent

from the City but which Developer shall notify City of in writing concurrent therewith), the rights and obligations of Developer under this Agreement may not be transferred or assigned in whole or in part by Developer (collectively an "Assignment") without the prior consent of the City, which consent shall not be unreasonably withheld, conditioned or delayed. The Parties agree that any sale or lease of residential lots as provided in Section 4.5 shall not constitute an Assignment that requires City consent. City shall respond to such request in writing within ten (10) days after receipt and, in the event of any disapproval, set forth the reasons therefor. If City fails to respond within said ten (10) day period, the proposed assignment shall be deemed disapproved. The City Manager is hereby authorized to act upon any request for approval under the foregoing provision, and any approval granted by the City Manager shall constitute the action of and be binding upon the City.

7.8 Release of Transferring Owner. Upon any Assignment of the entirety of this Agreement or the rights hereunder approved by the City, the transferor shall be released of all obligations under this Agreement that relate to the Property or portion thereof being transferred to the extent arising from and after the date of the Assignment, and, thereafter, City shall look solely to such transferee for compliance by such transferee with the provisions of this Agreement as such provisions relate to the Property or portion thereof acquired by such transferee. Except as otherwise provided in Section 4.5, in connection with each transfer of any portion of the Property or portion thereof, transferor shall require the transferee to assume in writing all of the obligations under this Agreement that relate to the portion of the Property or portion thereof being transferred. Notwithstanding anything above to the contrary (except as provided in Section 4.5), the rights and obligations under this Agreement are non-severable and if any buyer, transferee or assignee Defaults under this Agreement, such Default shall constitute a Default by the owner of each other portion of the Property and shall entitle City to terminate this Agreement in its entirety if such Default is not timely cured. Each transferee shall be responsible for the reporting and annual review requirements relating to the portion of the property owned by such transferee.

On March 8, 2016 the City Council approved an Agreement to Modify Certain Development Rights and Obligations for the project to address the inclusion of the South 40 into the project. Said Agreement has been executed by all parties but has not been recorded awaiting the expiration of the 90 day legal challenge time period.

DISCUSSION/ANALYSIS

Due to the scale and scope of this project, the City Manager has determined that any transfer of the Agreements should not be authorized without advance consideration by the City Council. The Development Agreement provides limited criteria upon which to base an approval only stating that the consent of the City “shall not be unreasonably withheld, conditioned or delayed.” The Agreement further provides that the City has 10 days to act (NJD has conditionally waived the 10 day requirement). The City must state reasons if deemed disapproved.

The transferee and transferor were requested to provide certain information for the City to review in consideration of granting its consent (see Attachment #1). The requested information included the following:

- *Written communication from NJD requesting that the city approve a transfer of all of the Development rights and provisions for the Project to the Buyer (fully identify the Buyer). Communication to also include:*
 - *Provide a specific description of the transaction between NJD and the Buyer outlining the nature of the property and business transaction between the two parties. Is this a joint venture; outright sale; are provisions of the sale contingent or delayed in any way; provide a listing of any third party owners or interests and their relationship and standing in the transaction; etc. (This statement and description of the transaction to jointly be confirmed by the Buyer)*
 - *That NJD is irrevocably transferring all of their interests and rights associated with the Development Agreement and all associated agreements and provisions to the Buyer.*
- *The Buyer to provide a written statement that they covenant and commit that they are aware of and agree to every term, condition, and provision of each and every agreement and administrative process approval associated with the Project. The written statement to also include:*
 - *Statement and all associated information to confirm that the Buyer has the financial and organizational capacity and commitment to perform every requirement under each and every agreement and administrative process associated with the Project.*
 - *That the Buyer provide documentation that the signatory to these assurances is authorized by the entity assuming the full development rights and responsibilities of the Project.*
 - *The Buyer provide contact information for use by the city and its agents regarding Development Agreement matters.*
 - *Confirmation regarding the nature of the property and business transaction with NJD (see above)*

City Staff is meeting with NJD and BLH on Monday June 27 to review their submittal and confirm certain details in the transmittal letters in order to ensure that BLH has a complete understanding of the associated obligations, to better understand the roles and responsibilities of all the associated parties and to confirm BLH has the experience and ability to carry out the project.

RECOMMENDATION

Based upon information provided at the June 27 meeting, Staff may recommend granting consent or delaying consent until the next Council meeting to secure additional information.

Respectfully submitted,



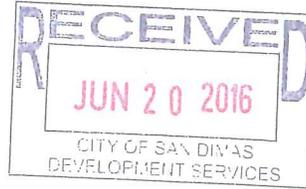
Larry Stevens, Assistant City Manager for Community Development

Attachments:

1. Written request from Brasada Homes Land, LLC and NJD, Ltd. dated June 16, 2016

Brasada Homes Land, LLC
55 S. Lake Avenue, Suite 600
Pasadena. CA 91101. U.S.A.

Phone 626 357-1200
Fax 626 357-1111



June 16, 2016

Blaine Michaelis
City Manager
City of San Dimas
245 E. Bonita Ave.
San Dimas, Ca. 91773

RE: Request to Transfer the Development Agreement Associated with TTM 70583 (Brasada Project)
to Brasada Homes Land, LLC

Dear Mr. Michaelis,

First, I would like to introduce our Company, Brasada Homes Land, LLC (BHL) as the Buyer of the Brasada Project. BHL is a subsidiary of Grandway Asset Management, Inc. During the past 25 years our firm and our team has been involved in the acquisition, management development and construction of commercial and residential real estate. We currently have under development 13 luxury homes in the communities of La Canada Flintridge, Arcadia, Diamond Bar, Palos Verdes Estates, and Lake Tahoe.

Our Company has been reviewing and studying the Brasada Project for more than a year but it has only been during the past 60 days that the transaction has come together. Prior to the signing of the Purchase and Sale Agreement between NJD, Ltd. (NJD) and BHL, we have been through a rigorous process working with NJD to refine costs and assemble a team with the expertise and experience required to build the infrastructure for this important project.

Presently, it is our intent to continue working with Steve Murow of MurowCM and his team. In addition, BHL has added David Cooke and his team at COBA to provide additional expertise in the construction of large infrastructure projects that includes value engineering, bidding and contracts, logistical planning and environmental permit compliance. Their resumes are attached for your review (Exhibit "A"). We are confident, based on the strength of our construction management team, together with the consultants that have been involved in this project through the entitlement process and the introduction of capable quality contractors who will provide for the commercially reasonable installation of the infrastructure, this project can be completed on time and within budget. Therefore, BHL respectfully requests that concurrent with the escrow closing the City of San Dimas consents to transfer the full rights, interest, and obligations associated with the Development Agreement to BHL. BHL will prepare a draft Assignment and Assumption Agreement, between the City of San Dimas, NJD as the Assignor and BHL as the Assignee, for your review and approval. The document will be recorded as part of the closing documents.

Brasada Homes Land, LLC
55 S. Lake Avenue, Suite 600
Pasadena, CA 91101. U.S.A.

Phone 626 357-1200
Fax 626 357-1111



BHL affirmatively states that it has the financial and organizational capacity and commitment to perform the requirements under each and every agreement, together with the administrative process associated with the Brasada Project.

A resolution by the management of BHL authorizing Lawrence Wang to execute the Assignment and Assumption Agreement transferring the Development Agreement from NJD to BHL is included with this request (Exhibit "B").

Finally, I have reviewed the submittal by NJD, Ltd, requesting the City consent to the transfer of the Development Agreement and confirm that the terms and conditions of the sale have been accurately represented.

The following is our company's contact information:

Lawrence Wang
Brasada Homes Land, LLC
55 South Lake Avenue
Suite 600
Pasadena, Ca. 91101
Office: (626) 357-1200
Lawrence.Wang@grandway.com

The following is the person to contact initially regarding Development Agreement matters:

Stan Stringfellow
Development 1 Group, Inc.
2011 E. Financial Way
Suite 203
Glendora, CA. 91741
Office: 626-945-9138
Stan@dev1group.com

Following is the Legal Counsel for Development Agreement matters:

Mathew "Mal" Richardson
Best Best & Krieger, LLP
18101 Von Karman Avenue
Suite 1000
Irvine, Ca. 92612
Office: (949) 263-6562
matthew.richardson@bbklaw.com

Brasada Homes Land, LLC
55 S. Lake Avenue, Suite 600
Pasadena, CA 91101. U.S.A.

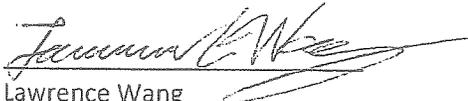
Phone 626 357-1200
Fax 626 357-1111



We expect to commence construction of the project by September 16, 2016. If you have any questions, please do not hesitate to contact me.

Respectfully yours,

Brasada Homes Land, LLC

By: 
Lawrence Wang
Its: Vice President

Appendix A

Resumes of David Cooke and Team at COBA Corporation

Resume of Steven Murrow at Murrow CM

Resumes

DAVID COOKE

1652 Plum Lane, #104

Redlands, California 92399

cobacacorp.dc@outlook.com

(909) 223-3020

Mr. Cooke has over 35 years' experience in the Building Industry, spanning the spectrum from project entitlement through construction and municipal acceptance. This extensive experience includes design, agency approval, budgeting, bidding, resource selection, site management, quality control, inspection and acceptance. In addition to focused infrastructure projects, David's experience includes several Master Planned Communities. David has served as a project Superintendent, Construction Manager and Project Manager, as well as Principle of a Union General Engineering Construction Company.

Mr. Cooke has been involved with the Project Management and Construction of Master Planned Communities, working through the Resource Agencies, City and County staffs, and Planning Commissions in achieving entitlements and permit approvals. He has provided oversight and direction for the Civil and Mechanical Engineering, Landscape and Golf Course Architecture through the submittal and plan approval process, while developing the consultant and construction scopes of work, the bidding and contract awards and continued with the project and construction management for mass grading, regional and local public infrastructure improvements, public roads, reservoirs, master flood control facilities as well as public parks, golf courses with the accompanying building structures and amenities.

RELEVANT EXPERIENCE

City Park, Public Collector Road and supporting infrastructure, offsite drainage debris basins and storm drain outfall structures along with 1,550,000 sq. ft. of contour graded 60 foot vertical variable slopes with meandering multi-use trails, City of Yucaipa.

Multiple commercial and mixed use site developments from, planning approvals, entitlement, civil engineering, site construction through building occupancy.

The conceptual infrastructure and road designs, working with and obtaining jurisdictional compliances, permits and final acceptance through the Army Corps of Engineers, Fish and Wildlife Service, California Department of Fish and Game, California Regional Water Quality Control Board, and South Coast Air Quality Management District, City and County approvals for the construction for 2 miles of arterial road, drainage and infrastructure improvements.

Spearheaded the design of and negotiated the first agreement with SCAQMD developing a procedure whereby emission trading credits can be purchased, banked with AQMD to mitigate air pollutants above baseline standards caused by increased heavy equipment used in expediting the construction schedule resulting in a savings in excess of \$750,000 for the above mentioned Public road improvements.

He was awarded the Building Industry Associations Project Manager of the Year for 2004.

Management of the planning, design, bidding, and construction of 4 multi-million gallon steel water storage reservoirs, along with 14 miles of steel water transmission lines to complete the construction of four separate water zones for the Yucaipa Valley Water District.

Management of the \$17,000,000 Wilson Creek and Gateway Wash, regional flood control facilities, the largest single permit issued by the San Bernardino County Flood Control District.

Mass Grading of over 15,000,000 cubic yards in three phases for the development of 2,235 lots with all supporting infrastructure and public road improvements that totaled over \$90,000,000 plus Golf Course improvements.

The design, approvals and completed restoration for an uphill tri level historical mixed use building with the accompanying public streetscape improvements, City of San Clemente, Ca.

General Engineering Construction

Corona California--The clearing of 1,000 acres including 36,000 citrus trees, ground on-site and trucked to supply alternate fuel burning generators along with installing 2 miles of approved steel water lines and the restoration of earthen reservoirs in preparation for mass grading operation involving over 5 million cubic yards.

Ontario California--Installation of all underground backbone and infrastructure improvements for the 600 acre Master Plan Community.

Agoura California—The installation of over 6 miles of Southern California Edison structures and conduit distribution systems along with the supporting Telephone and cable TV systems.

San Marcos California—The turn-key construction of a 140 terraced lot sub division and recreational center that included the blasting and grading operations, all underground, and public road improvements along with a 30 foot deep tunnel under railroad right of way for the project's drainage outfall.

EDUCATION--LICENSES—CERTIFICATIONS

Active California State Contractors Licenses:

A-General Engineering and Haz Mat

B-General Building

California Real Estate Broker

CESSWI 1094

QSP-00309

UNIVERSITY OF CALIFORNIA, RIVERSIDE, CA.

Certificate Program- Land Use & Environmental Management

UNIVERSITY OF CALIFORNIA, IRVINE, CA

Certificate Program-Construction Management

ORANGE COAST COLLEGE
-Inspection and Management Programs

WOODBURY UNIVERSITY, LOS ANGELES, CA.
Business Administration

DAVID COOKE

Renewable Energy Program Manager

Mr. Cooke has over 35 years' experience in the Land Development, Infrastructure Construction and the Building Industry. This extensive experience was gained from both the Master Land Developers and General Engineering Contractors. He has served as a project Superintendent, Construction Manager, Project Manager as well as the Principal and license holder for a union General Engineering Construction Company.

For the past four years, Mr. Cooke has been acting as AEI-CASC Renewable Energy Program Manager. In this capacity, he is responsible for coordinating projects with Resource Agencies, Utility Companies, City and County staffs, Planning Commissions, Attorneys and other parties to obtain entitlement approvals for renewable energy facilities. He has coordinated with Land Owners, Financing Partners, Solar Energy Developers, Transmission and Distribution Interconnect Consultants, and directly with SCE, IID and other Utilities responsible for the purchase of power.

RELEVANT EXPERIENCE

- Over 30 Desert Renewable Projects: Mr. Cooke has represented the company on over 30 renewable energy projects in the Central Valley and Southern California desert regions. His role is to provide Land Acquisition with early due-diligence and land entitlement support for California Energy projects. This involves meetings with Land Owners, Solar Developers, Local Agencies and Utility companies to advance projects to meet California's Renewables Portfolio Standard (RPS) 33 percent by 2020.
- 200 Megawatt Solar Photovoltaic Energy Project, Imperial County, CA: Mr. Cooke assisted in the successful management of the planning, entitlement and engineering stages for this project located in the Southern California desert of Calipatria, California consisting of 2,000 acres.
- 20 Megawatt Solar Photovoltaic Project, located in El Centro, California: Mr. Cooke provided the project developer the lead support from the Annexation, Change of Zoning, thru the Civil Engineering to the successful Conditional Use entitlement of the 20 MW Solar PV. This was the first Utility scale Solar Project approved by the City of El Centro.
- Southern California Edison, Mr. Cooke has provided environmental/regulatory support on several of the company's SCE sites including Substations and Linear Utility Projects in Tulare, and the Coso facilities in Inyo County.

OTHER RELEVANT EXPERIENCE

- Development Manager – 1,000 Acre Master Planned Community, City of Yucaipa, CA
- Planning, Design, and Construction Management for Water Storage Reservoirs, Yucaipa, CA
- Wilson Creek-Gateway Wash, Regional Facilities for San Bernardino County Flood Control District, CA
- Tri Level Historical Mixed Use Building, City of San Clemente, CA
- Installation for 6 miles of SCE & GTE structures/conduit distribution systems, City of Agoura, CA

EDUCATION:

Land Use & Environmental
Planning

University of California,
Riverside/UCR

Construction Management

University of California,
Irvine/UCI

Inspection and Management
Program

Oregon Coast College, CA

Business Administration

Woodbury University, Inc.
Anaheim, CA

CARL HARDER

Construction Management

I have worked in the Industrial, Commercial, Public and Residential construction industries for over 30 years. Collaborated with developers, municipalities, public and government agencies which has consisted of construction supervision of contractors and sub-contractors, compliance with standards and specifications of City, State and Federal entities, coordination of inspections with involved agencies, continuous site safety and monitoring during construction activities and liaison between construction and concerned residents.

I have been involved in various phases of both public and private construction projects involving site infrastructure and development, commercial/industrial sites, rail road facilities, regional flood control, State highway improvements, federal and state wet land mitigations, waste water treatment facility, amusement park, universities, state and county parks, as well as numerous residential developments. Included as part of overseeing projects were the duties of handling negotiations/disputes, change order processing, contractor monthly invoicing, scheduling and inspection requests, submittals and weekly documentation.

My background also includes working in the trades and am knowledgeable in reviewing and understanding blueprints and specifications, providing take-offs, estimating costs, procurement of materials/services, the due diligence process, value engineering and contractor and sub-contractor qualifications and selection.

Relevant Work Experience

- 13 Years Industrial Construction
 - Structural steel fabrication/erection
 - Machinery/equipment fabrication/installation
 - Millwright
- 11 Years Underground Infrastructure
 - Management, take-offs, estimating and procurement
 - Sewer, water, storm drain and utilities
- 6 Years Cast-In-Place Concrete Construction
 - Management, take-offs, estimating and procurement
 - Reinforced concrete box culverts and channels
 - Storm drain pipeline and structures
 - Specialized CIP structures
- 7 Years Land Development
 - Management, take-offs, estimating and procurement
 - Mass grading
 - SWPPP procedures/compliance/monitoring
 - Site development/utilities
 - Roadway/street construction and streetscape

- Traffic signal installation and interconnects
- Regional flood control projects
- Water well construction/development
- Reservoir construction and site improvements

Projects

- Sewer/Water installation/upgrades for Western Municipal Water District, Fontana Water Co., San Gabriel Valley Water Co., Elsinore Valley Water District, East Valley Water District, the City of Redlands and Yucaipa Valley Water District.
- Flood control projects within San Bernardino County Flood Control, Riverside County Flood Control, Orange County Flood Control and Los Angeles County Flood Control Districts
- Freeway improvements – Caltrans, Harbor Blvd. and I 405, New Port Beach, CA
- Freeway improvements – Caltrans, I 10 and Tippecanoe, San Bernardino, CA
- Site improvements - Vista Del Lago High School – Moreno Valley, CA
- Traffic Signals, Hwy 74 and interior streets, Caltrans/Riverside County Transportation Dept., Lake Elsinore, CA
- Traffic signals - Riverside County Transportation Dept., Riverside, CA
- Water Well and Reservoir Construction, Traffic signals – Chapman Heights, Yucaipa, CA
- Site improvements – Disney’s California Adventure Park, Anaheim, CA
- Infrastructure for new dormitory – Whittier College, Whittier, CA
- Housing Development & Site Improvements – Chapman Heights, Yucaipa, CA
- Site improvements – Soka University of America, Aliso Viejo, CA
- Seismic surveys – San Bernardino Valley College, San Bernardino, CA
- Site improvements – Intermodal Railroad Yard, San Bernardino, CA
- Sewer improvements – Calico State Park, Barstow, CA
- Sewer improvements – Glen Helen Regional Park, San Bernardino, CA
- Seating modifications – Quake Stadium, Rancho Cucamonga, CA
- Site improvements – Arrowhead Stadium, San Bernardino, CA
- De-chlorination Tank – Chino Basin Municipal Water District, Ontario, CA
- Sewer lift stations (2) – Western Municipal Water District, Riverside, CA
- Sewer lift station – City of Lake Elsinore, Lake Elsinore, CA
- Booster pump station – City of Lake Elsinore, Lake Elsinore, CA

Education

- San Bernardino Valley College:
 - Marketing Principles
 - Business Law
 - Principles of Accounting
 - Waste Water Treatment
 - Backflow Prevention

- Welding Certification – AWS (Expired)
 - 7018, Low Hydrogen, All position
 - High pressure vessels/piping

- Dale Carnegie Management

References

Construction Management and Project Management

Mr. Michael Kern

President

Communities Southwest Development & Construction

Master Planned Community Developers

7001 N. Scottsdale Road

Suite 1015

Scottsdale, AZ 85253

480-315-2600

David Cooke provided Project and Construction Management services on two Master Planned Communities with infrastructure improvements totally in excess of \$100,000,000

Mr. Jonathan Weldy

President

Meridian Land Development Company

19153 Town Center Drive

Suite 106

Apple Valley, CA 92308

760-240-5511 ext. 222

COBA Corporation has provided Construction Management and Project Management services for Meridian Land Development on various residential and mix use projects since 2005.

Mr. Mohamad T. Younes, P.E.

Sr. Vice-President

Inland Communities

6430 W. SUNSET BLVD

SUITE 460

LOS ANGELES, CA 90028

323.874.8000

David Cooke has provided Master Plan Community Development Project and Construction Management services for Mr. Younes, P.E. since 2002

Mr. Aaron Rivani

Principal

Global Investment & Development, LLC

3470 Wilshire Blvd. Suite 1020

Los Angeles, CA 90010

Phone: (213)365-0005

COBA Corporation has provided Value Engineering and Construction Management services for Mr. Rivani on multiple residential projects in Los Angeles and Kern Counties over the past two years.

General Engineering Contractors

Mr. Barry Blanchard

President

T-N-T Grading Inc.

268 Redel Road

San Marcos, CA 92078

(760) 736-4054

Performed over \$15,000,000 of General Engineering construction of the mass grading and master drainage improvements for residential hillside developments under David Cooke's construction management and supervision.

Mr. Bob Vlach

Heartland Grading

3146 Tigar Run Ct

Suite 116

Carlsbad, CA 92010

(760) 650-3720

Performed over \$5,000,000 of General Engineering construction for mass and rough grading operations under the supervision of David Cooke

Ted Burton Sr.

President

TBU Engineering Contractors

244 Maple Ave

Suite "T"

Beaumont CA 92233

951-769-0647

TBU has performed over \$12,000,000 of General Engineering construction on Master Planned Communities under the supervision of David Cooke

Steven M. Murow
Summary of Expert Qualifications

Mr. Murow has been a professional in the general engineering contracting industry for over thirty five years. During that time he has served as a principal in two leading contracting firms; consultant to major land developers; specifier and bid administrator; senior project manager and as an expert witness. He has expertise in public and private engineering and building contracting, creating land development pro formas, claims mitigation, scheduling and cost estimating.

Mr. Murow began his professional career in 1978 as a quantity takeoff estimator for Southern California's premiere grading contractor – Sukut Construction, Inc. After attending the University of Illinois and Cal State Long Beach, studying Civil Engineering; Mr. Murow utilized his knowledge of soils mechanics, hydraulics and general business courses and teamed up with former employees of Sukut in 1981. Their goal was to create a new, diversified general engineering contracting firm; Gillespie Construction and a construction management firm, CME Corporation. As a principal in both companies, Mr. Murow was responsible for estimating and bidding of public works projects, project management and dispatching of field personnel and equipment.

In May 1987, Mr. Murow joined Greg Clayton as a principal and formed Clayton Engineering, Inc. to offer general engineering contracting services. In 1999, the company amassed sales of \$46 million, had 160 employees, over 30 pieces of heavy equipment and was a major force in public contracting in Southern California. Mr. Murow held the position of Executive Vice President; performed the sales and marketing for the company; estimated and/or supervised the estimating of over 1,500 bids and personally managed and/or was responsible for the project management of over 250 projects in excess of \$125,000,000.00 including heavy engineering and building construction; developed computer spreadsheets and formats for job costing, estimating and scheduling; oversaw the financial/accounting/bonding requirements of the company; and performed numerous consulting projects and constructability analysis.

In October, 2000 Mr. Murow joined The Moote Group to offer his expertise in developing pro forma's associated with mass grading and infrastructure development, perform mass grading analysis and budgets, develop mass grading bid packages and act as a project manager on grading and infrastructure related projects. He also developed the forensic estimating and litigation support division of The Moote Group.

Mr. Murow has provided assistance to Owners, Municipalities, Developers and Contractors on construction claim analysis and mitigation and provided litigation support on projects involving general engineering and building construction in the public and private industry. He has assisted in case development, claim preparation, damage assessment and quantification, cost estimating, and performed expert witness testimony, rebuttal witness services and has facilitated equitable settlement agreements among Contractors and Owners.

A brief description of projects Mr. Murow has been directly involved in includes:

- City of Laguna Beach, Treasure Island Development: Perform cost estimating, bid analysis, contract negotiations, budget analysis and allocation, and contract

Steven M. Murow

Summary of Qualifications, Continued

- completion verification as an expert to assist in a settlement between the City Council and the Developer.
- City of West Hollywood, Santa Monica Blvd. Reconstruction: Review and analyze \$27,000,000 contract billing with 70+ change orders; investigate, review and comment on pending claims; project review and analysis; serve as an expert and project mutual witness in the mediation process which led to a successful mediation settlement between the City and the Contractor. He also served as an expert on Standard of Care for Construction Managers and Civil Engineers in related litigation with the Project Design Engineer.
 - South Coast Construction vs. Ashbrook Communities: Serve as an expert to develop grading quantities and logistics, evaluate quantity of "removals," analyze percent complete and amount due, review billing and change orders. Participate at Arbitration as an expert and rebuttal witness on grading issues and differing site conditions.
 - DR Horton v Verco, Orangecrest, Riverside: Serve as an expert in applying forensic investigation into billing practices including reconstructing contract billing, T&M billing and multiple change orders. Contractor demand for \$2.2MM was reduced to zero over 12 months of negotiations with the opposing accounting expert and contractor.
 - Playa Capital Company, LLC, Playa Vista, Los Angeles: Serve as the Senior Project Coordinator interfacing with engineering, design and construction in order to pre-plan, schedule, budget and prepare bid documents for CFD reimbursed public works projects totaling in excess of \$40,000,000. Once awarded, acted as Senior Project Manager through project completion including negotiating extra work and change orders, verifying completion percentages, coordinating with City, Soils Engineer, Civil Engineer and other Governmental Agencies. Manage and supervise construction team throughout all phases of construction. Initiate and avoid claims through documentation and document control.
 - BMR Golf vs. Lee, Fontana: Serve as an expert to support litigation and analyze the allegation of breach of contract. Research job records, perform forensic estimating and discovery, analyze field work and warrant an opinion on status of project. Present analysis and review during a successful mediation process.
 - Hunsaker vs. Hales, et al. Laguna Hills: Serve as an expert to support litigation and estimate construction cost for reconstructing property damage caused by lateral fill extension. Attend destructive testing, map reconstruction limits, analyze field work and prepare cost estimate for settlement purposes. Presented analysis at deposition.
 - Starfield Investors, LLC, Sycamore Creek, Riverside: Serve as Project Manager for Bid Administration, Contract Administration and Technical Support services to Owner on a new 1,300-lot residential development in Riverside County. Prepared initial cost estimates and budgets, bid documents and specifications for CFD reimbursement program, moderated the bid process, administered contracts, provided construction management services in support of the field operations and negotiated contract change orders and extra work. Developed project documentation processes and techniques.
 - Colonies Partners v Yeager-Skanska: Serve as the lead expert in a five week arbitration pertaining to a diverse mass grading project with numerous change

Steven M. Murow

Summary of Qualifications, Continued

orders whereas the contractor claimed they were due \$1.9MM and the arbitrator awarded the developer in excess of \$2.4MM. Forensic work included generating pay quantities, establishing cost overruns, recreating payment schedules, determining overbillings and excessive contractor charges; and presenting testimony, exhibits and rebuttal during the arbitration.

- TriPacific v KB Coastal: Serve as lead expert in a jury trial in Vista Superior Court. Presented PowerPoint in courtroom on cost to complete of a partially completed residential (condo and townhomes) site in El Cajon. Provide direct testimony on \$9.8MM cost to complete and provided rebuttal testimony of opposing experts.
- Litigation matters in McKinney Texas involving general engineering contracting bidding trade secrets, earthwork pay quantity dispute in Conway Arkansas, construction defects on a new hotel in La Cruces New Mexico, grading "cost to complete" in Las Vegas Nevada and numerous matters throughout the State of California.

In addition, as a general engineering contractor, Mr. Murow was directly and personally involved as the Estimator/Project Manager on several mass grading, street improvements, channel improvements, storm drain and turn-key site development projects for public works and private development. From 1989 to 1995 Mr. Murow also served as Estimator and Operations Manager on several Public and Private building projects including four community centers for local municipalities.

With his education, experience and specialized knowledge, Mr. Murow is considered an expert in "forensic general engineering contracting and cost estimating" specializing in DIRT – mass grading and excavation, street improvements, underground construction and land development cost analysis. Mr. Murow's diverse expertise includes cost estimating and budgeting; project/construction management and contractor standard-of-care reviews; developing grading logistics, phasing analysis and sequencing of major earthwork projects; reviewing grading plans and geotechnical reports to develop earthwork quantity analysis charts; review and analysis of all phases of general engineering construction; public works contracting; job costing, change order review and billing procedures: cost-to-complete and percentage complete; and, project development and coordination. Mr. Murow's overall experience and technical background allows him to successfully analyze claims and job related problems as a "project neutral" and mutual witness. He has been retained as an expert witness over one hundred fifty times, been deposed on 42 occasions and has testified in court and/or during arbitration on twenty two occasions. In April 2012, Mr. Murow sat on an Expert's Panel as the contractor standard-of-care expert alongside two other experts in opining on the cause of 44,000LF of 42"VCP sewer line failure in Coachella Valley, California and recommending a cure of action.

On July 11, 2012, Mr. Murow began providing expert witness and litigation support services through his new entity **DIRTONU, Inc.** In addition, his dba **MUROW|CM** is serving as the construction oversight consultant for the 20-year build-out of Rancho Mission Viejo, providing bid administration and construction management services on various projects for NBCUniversal, Lennar Homes, Foremost Communities, Brookfield

Steven M. Murow

Summary of Qualifications, Continued

Homes, Santa Margarita Water District, Foremost Communities and The True Life Companies; and, provides public works contract administration and claims mitigation for several general engineering contractors. MUROW|CM recently completed the grading work at Talavera in Menifee California consisting of 112 residential lots. MUROW|CM recently completed their Resident Engineering service contract on a 20-month, \$21.3mm bridge project in Rancho Mission Viejo. In addition to focusing his expertise towards expert witness and litigation support services for construction claims, mass grading and site development matters, Murow provides pro forma development, bid administration and construction oversight to numerous developers, builders, engineering firms and municipalities. The firm incorporates the expertise of 40+ individuals averaging over 30 years in the construction industry. MUROW|CM is currently performing CM at risk and general engineering contracting projects involving grading and drainage facilities.

Mr. Murow is the past President (2011-2015) of the Orange County Forensic Expert Witness Association (FEWA) and was the 2013 National President of the FEWA National Board of Directors, 2015/16 Past President of the American Society of Professional Estimators – Chapter 3, current Chairman and Executive Board Member of the Goals for Life Foundation, current Building Industry Association (BIAOC) Board of Director's member, member of the Construction Management Association of America (CMAA), the Southern California Contractors Association (SCCA), the Engineering Contractors Association (ECA), the Construction Specifications Institute (CSI), the Common Ground Alliance (CGA) and the Association for the Advancement of Cost Engineering (AACE). He continues his service on the Board of Directors at the Arizona State University Parents Association (10 years) and serves on the Board of the PLUMS, Parents of Alumni. Murow is an Advisory Council Member for the Construction and Technology Department at Orange Coast College in Costa Mesa. He has been a guest lecturer and presenter at Orange Coast College, at ASPE seminars and at seminars held by Pardee Homes. He has authored several articles on bidding, contracting and prevailing wage (non) compliance. Mr. Murow holds a California General Engineering Contractors License (A-659969). On Feb. 25, 2016 Murow completed his studies and Capstone Project at the University of Redlands and earned his BA in Business Management. Murow recently earned the CFLC (Certified Forensic Litigation Consultant) credential from the Forensic Expert Witness Association.

March, 2016

Appendix B

Resolution by the Management of BHL Authorizing Lawrence Wang to Execute the Assignment and Assumption Agreement Transferring the Development Agreement from NJD to BHL

WRITTEN RESOLUTION
OF THE MANAGER
OF
BRASADA HOMES LAND, LLC,
a Delaware limited liability company

The undersigned, being the Manager of Brasada Homes Land, LLC, a Delaware limited liability company (the "Company"), in lieu of holding a formal meeting, hereby consents to the adoption of, and adopts, the following resolutions:

WHEREAS, Section 5.1(a) of the Operating Agreement of the Company, dated April 12, 2016, stipulates that the business, property and affairs of the Company shall be managed exclusively by the Managers;

WHEREAS, the Manager deems it in the best interests of the Company to delegate to Mr. Lawrence Wang, vice president of the Company, full authority to negotiate and execute on behalf of the Company, the Assignment and Assumption Agreement transferring the Development Agreement associated with TTM 70583 ("Brasada Project") from NJD, Ltd. ("NJD") to the Company;

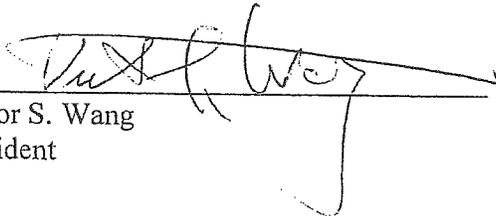
RESOLVED THAT, Mr. Lawrence Wang is hereby authorized to negotiate and execute on behalf of the Company the Assignment and Assumption Agreement transferring the Development Agreement associated with Brasada Project from NJD to the Company;

IN WITNESS WHEREOF, the undersigned has signed this Resolution as of the 16th day of June, 2016.

MANAGER

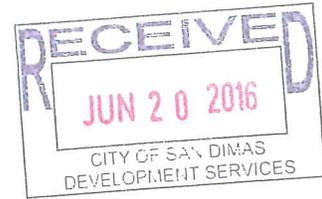
Grandway Development, LLC,
a Delaware limited liability company

By: _____
Name: Victor S. Wang
Its: President

A handwritten signature in black ink, appearing to read "Victor S. Wang", is written over a horizontal line. The signature is stylized and cursive.

NJD, Ltd.

June 17, 2016



Blaine Michaelis
City Manager
City of San Dimas
245 E. Bonita Avenue
San Dimas, CA. 91773

Re: Transfer of the Development Agreement for TTM 70583

Dear Mr. Michaelis,

Pursuant to the terms of Section 7.7 of the Development Agreement for TTM 70583 (Brasada Project) and in accordance with written instructions detailed in your email of February 16, 2016, we respectfully request that the City of San Dimas consent to the assignment of the Development Agreement associated with the Brasada Project to Brasada Homes Land, LLC. The effective date of the transfer will be on the close of escrow between NJD, Ltd. and Brasada Homes Land, LLC which is currently scheduled for July 29, 2016.

Further, for this specific consent request, we waive the ten (10) day requirement in 7.7 of the Development Agreement so that this matter can come before the City Council on June 28th, 2016.

Following is information about the Buyer of the Brasada Project:

Brasada Homes Lane, LLC
55 South Lake Avenue
Suite 600
Pasadena, Ca. 91101
626-357-1200
Attention: Lawrence Wang
Stan Stringfellow

Brasada Homes Land, LLC (BHL) is purchasing the property outright from NJD, Ltd. (NJD) with NJD providing financing for part of the purchase. A large part of our evaluation of the BHL purchase offer included having a capable and seasoned team to build the project and successfully manage the day to day construction operations associated with the infrastructure as well as the financial capability to see

NJD, Ltd.

the project through to completion. We feel comfortable with their proposed management team and their financial capability to complete the project.

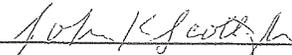
As a lender in the project, NJD will continue to monitor the progress of the construction and we will be available to provide expert help and advice to BHL as part of our ongoing commitment to see the project is well built and completed.

Please feel free to contact me directly if you have any questions.

Sincerely,

NJD, Ltd., a Texas Limited Partnership

By: PCS, Inc. Its General Partner

By: 
John K. Scott, Jr. / Vice President

Acknowledgement:

Brasada Homes Land, LLC

By: 
Lawrence Wang / Vice President