



**MINUTES**  
**REGULAR CITY COUNCIL MEETING**  
**TUESDAY JULY 26, 2016 7:00 P. M.**  
**SAN DIMAS COUNCIL CHAMBERS**  
**245 E. BONITA AVENUE**

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**CITY COUNCIL:**

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

**STAFF:**

Assistant City Manager Ken Duran  
Assistant City Manager Development Services Larry Stevens  
City Attorney Mark Steres  
Director of Parks & Recreation Theresa Bruns  
Director of Public Works Krishna Patel  
Assistant City Clerk Debra Black

**CALL TO ORDER AND FLAG SALUTE**

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

**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.)

**Members of the Audience:**

- **Robert Malosky** San Dimas Masonic Lodge announcement of upcoming Toy Drive
- **Rick Hartmann** San Dimas Chamber of Commerce announcement of City Birthday BBQ
- **Pete Sluis** resident spoke on his attendance at a Southern California Association of Governments meeting and learning of the possibility of double rail tracks in San Dimas
- **Susie Crawford** resident commented on a recent act of theft

**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.)

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

**RESOLUTION 2016-39, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN DIMAS APPROVING CERTAIN DEMANDS FOR THE MONTHS OF JUNE AND JULY 2016.**

**Approval of minutes for regular City Council meeting of June 28<sup>th</sup>, 2016 and July 12, 2016.**

**Renewal Public Works Contracts:**

- 1) Cash Contract No. 2011-05, Asphalt Maintenance Project-VariouS Citywide Locations Contract to Paveco Construction, Inc. in the amount up to \$122,000. Approve title change to Maintenance Contract 2016-04 for ease of document tracking
- 2) Two-year Traffic Signal Maintenance Contract with Computer Services Company, Inc., in the amount of \$114,500. Approve title change to Maintenance Contract 2016-03 for ease of document tracking.
- 3) Cash Contract 2011-04, Concrete Maintenance Project-various Citywide Locations to Grigolla & Sons Concrete in the amount up to \$106,000. Approve title change to Maintenance Contract 2016-02 for ease of document tracking.
- 4) Cash Contract 2011-07, Annual striping Maintenance Contract to Superior Pavement Markings, Inc. in the amount of &95,000. Approve title change to Maintenance Contract 2016-01 for ease of document tracking.

**Claim rejection Ramirez vs. City of San Dimas**

**Claim rejection SCE vs. City of San Dimas**

**Claim Rejection City of Covina vs. City of San Dimas**

**Approve a Resolution Authorizing Application for Grant Funding from the California State Parks Habitat Conservation Fund for the San Dimas Northern Foothills Trails Project connecting trails to Horsethief Canyon Park**

**RESOLUTION 2016-40, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN DIMAS, COUNTY OF LOS ANGELES, APPROVING THE APPLICATION FOR GRANT FUNDS FROM THE HABITAT CONSERVATION FUND PROGRAM**

After the request from Councilmember Ebner to correct the vote count for the approval of the consent calendar of the June 26, 2016 meeting the following action was taken:

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

Motion carried five to zero. (5-0)

**END OF CONSENT CALENDAR**

**OTHER BUSINESS**

**Consider Adoption of an Ordinance Amending Chapter 13 of the San Dimas Municipal Code to include electronic smoking devices in the definition and prohibition of smoking in all city parks and facilities.**

**ORDINANCE 1246, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN DIMAS, COUNTY OF LOS ANGELES AMENDING CHAPTER 13 OF THE SAN DIMAS MUNICIPAL CODE BY AMENDING SECTION 13.16.340 TO INCLUDE ELECTRONIC SMOKING DEVICES IN THE DEFINITION AND PROHIBITION OF SMOKING IN ALL CITY PARKS AND FACILITIES (FIRST READING AND INTRODUCTION)**

RECOMMENDED ACTION: Read ordinance by title and introduce.

**Facilities Director Karon De Leon** presented staff's report on this item pointing out some of the areas of concern by various government agencies over the potential health risks that electronic smoking devices pose to the general public.

There being no further discussion the following action was taken to introduce and read Ordinance 1246 by title:

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

Motion carried five to zero. (5-0)

**Consider Adoption of an Ordinance Amending Chapter 13 of the San Dimas Municipal Code by adding a section to prohibit commercial activity in all city parks and facilities.**

**ORDINANCE 1247, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN DIMAS, COUNTY OF LOS ANGELES AMENDING CHAPTER 13 OF THE SAN DIMAS MUNICIPAL CODE BY ADDING A SECTION PROHIBITING COMMERCIAL ACTIVITY IN PUBLIC PARKS AND FACILITIES OWNED OR OPERATED BY THE CITY OF SAN DIMAS (FIRST READING AND INTRODUCTION)**

RECOMMENDED ACTION: Read ordinance by title and introduce.

**Director of Parks and Recreation Theresa Bruns** presented staff's report on this item outlining the problems associated with commercial activities operating in Public Parks and staff's effort to encourage individuals to become a contractor with the Parks and Recreation Department as a resolution.

Responding to questions from Councilmember Templeman and Ebiner that included descriptions of a variety of possible activities by organizations or businesses, Director Bruns answered that the purpose is to find a compromised balance between the use of parks and the promotion and conduction of business. She added that the review of these activities would be driven by the impact they have on the parks.

**Councilmember Ebiner** shared that he agrees with what staff is attempting to do, however he has concerns with the language of the ordinance as presented.

Responding to Councilmember Bertone's question regarding partnering with the city, Director Bruns replied that they would be a contractor with the city and there would be a revenue sharing contract.

**City Attorney Steres** added that the ordinance as written states "you cannot conduct business in the park", it does not say you cannot perform a business activity in the park which is different from conducting a business.

There being no further discussion the following action was taken to introduce and read Ordinance 1247 by title:

**MOTION:** Templeman  
**SECOND:** Badar  
**AYES:** Badar, Bertone, Morris, Templeman  
**NOES:** Ebner

Motion carried four to one. (4-1)

**Consider changing the name of the Swim & Racquetball Club to the San Dimas Recreation Center**

**RECOMMENDED ACTION:** Approve re-naming the Swim and Racquet Club to San Dimas Recreation Center

**Director Bruns** presented staff's report on this item by describing the expanding uses of the facility over the years that has led to the request to have a name that more closely represents the current use and operations of the facility.

There being no further discussion the following action to rename the Swim and Racquet Club to San Dimas Recreation Center was taken:

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

Motion carried five to zero. (5-0)

**Authorizing the City Council the ability to extend the term of a commissioner or committee member whose term has expired due to extenuating circumstances**

**RESOLUTION 2016-41, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN DIMAS, COUNTY OF LOS ANGELES, AUTHORIZING THE CITY COUNCIL THE ABILITY TO EXTEND THE TERM OF A COMMISSIONER OR COMMITTEE MEMBER WHOSE TERM HAS EXPIRED DUE TO EXTENUATING CIRCUMSTANCES**

**RECOMMENDED ACTION:** Approve Resolution 2016-41.

**RECOMMENDED ACTION:** Consider extending the terms of Equestrian Commissioners Marca DeMonaco and Yvette Piconni for a period as determined by the Council.

**Assistant City Manager Ken Duran** presented staff's report on this item that outlined the benefits in granting the Council authority to extend a Commissioners term for up to a period of 12 months or until a successor is appointed.

There being no further discussion the following action was taken to adopt Resolution 2016-41:

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

**Councilmember Templeman** made a motion to extend the terms of Commissioners DeMonaco and Picconi for 12 months or until a successor is appointed.

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

Motion carried five to zero. **(5-0)**

**Update on Downtown Renovation Project. Approve a change order for curb replacement.**

**RECOMMENDED ACTION:** Approve the proposed Change Order 3 to reconstruct the northern curb and gutter from 535 W. Bonita Avenue to San Dimas Avenue and authorize staff to negotiate the change order amount not to exceed \$60,000.00

**Director of Public Works Krishna Patel** provided the following update:

- All plants, trees, hardscaping, signs and fencing have been removed
- Temporary street lighting installed
- Project remains clean of debris
- Temporary signage has been installed
- No complaints received
- Bi-weekly updates on City website

**Councilmember Templeman** made a motion to approve Change Order 3.

There being no further discussion the following action to approve Change Order 3 not to exceed \$60,000.00:

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

**ORAL COMMUNICATIONS**

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

**Rick Hartmann** Chamber of Commerce updates and announcements.

**Caryol Smith** Coordinator of Friends of the Dog Park commented on Ordinance 1247.

**Assistant City Manager**

- Ask the Mayor Show guest will be a member of the San Dimas Historical Society
- Announced new city employee Joseph Jones, Recreation Supervisor
- Staff meeting with Metrolink next week

**City Attorney**

Nothing to report.

**Members of the City Council**

1. Reappointments to the Planning Commission

The following motion was made to reappoint John Davis and Tomas Molina to the Planning Commission

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

Motion carried five to zero. **(5-0)**

**General Discussions of Public Wi-Fi in the Downtown Corridor**

**Councilmember Ebner** discussed the reasons why the city should prepare for the future needs of Wi-Fi.

**Mr. Duran** shared the following preliminary information gathered from staff's research to provide Wi-Fi service in the downtown corridor:

- Installation of new conduit is ¾ completed, window is open to take advantage of additional installation needs
- Separate conduit would be required at approximately 2400 feet to upgrade - \$60,000, plus approximately \$10,000 to lay additional fiber optic infrastructure - needing a decision tonight
- Installation of the equipment to run the system \$15,000 - \$20,000
- Ongoing costs to manage system monthly

After discussing the potential upgrade options for future needs of installing Wi-Fi service in the downtown corridor it was the consensus of the Council to not move forward with the expense of adding additional conduit and explore other options using the existing infrastructure.

**Councilmember Ebner** stated that he thinks this council is missing the boat by not having enough foresight regarding this issue.

**Mr. Duran** explained that the plan is to put two inch conduit from the back of Bank of America to the back of the Feed and Grain, with the idea that it will have the fiber optic needed to run the city systems, but will have the capacity to run internet systems between those two points if the time comes. He added that staff will explore other opportunities that would take advantage of the conduit that will already be there.

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

Nothing reported.

**Individual Members' comments and updates.**

- Jeff noted the material from 1986 presented in the City Manager's weekly announcement regarding the downtown improvements; as well as the families utilizing the civic center courtyard. He requested the information provided by the City Attorney regarding the DPRB member compensation for Project Manager in writing, and asked for updates on lawsuits and claims against the city.
- Denis – City Birthday Party announcement

**ADJOURNMENT**

The meeting adjourned at 9:03 p.m. The next meeting will be on August 9<sup>th</sup>, 2016, 7:00 p.m.



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Debra Black, Assistant City Clerk



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Curtis W. Morris, Mayor