



**REGULAR CITY COUNCIL MEETING MINUTES  
TUESDAY NOVEMBER 22, 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  
City Attorney Mark Steres  
Assistant City Manager of Development Services Larry Stevens  
Director of Parks and 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 7:07 p.m.

**ANNOUNCEMENTS**

➤ Holiday Extravaganza and Tree Lighting

**Theresa Bruns** Director of Parks and Recreation provided the announcement of activities and timeline for the event.

**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**

Seeing no one come forward the Mayor moved on to the consent calendar.

**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 2016-57, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN DIMAS, CALIFORNIA, APPROVING CERTAIN DEMANDS FOR THE MONTH OF NOVEMBER 2016.**

- a. Approval of minutes for regular City Council meeting of November 9<sup>th</sup>, 2016

**END OF CONSENT CALENDAR**

**Councilmember Ebiner** requested correction of the minutes of October 17, 2016 page four to reflect the date of the emergency exercise as October 20, 2016.

**MOTION:** Motion/second by Councilmember Bertone/Ebiner to approve the consent calendar with the noted corrections. The motion passed by unanimous vote. **(5-0)**

**YES:** Badar, Bertone, Ebiner, Morris, Templeman  
**NOES:** None  
**ABSENT:** None  
**ABSTAIN:** None

**OTHER BUSINESS**

**Waste Management Annual Rate Increase**

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

**RECOMMENDED ACTION:** Approve the 1.73% rate increase for residential and commercial services as requested by Waste Management effective January 1, 2017 and the commercial recycling cart rates and \$50 overage charge rate.

**Councilmember Bertone** asked how our city rates compared to other cities.

**Mr. Duran** responded that when the original agreement was adopted a rate comparison was done and our rates lean towards the high side but that takes into account a 19% franchise fee. He added that we are entering into the last year of the agreement and rates will be one of the items negotiated.

**Teri Muse** Waste Management representative spoke on the businesses compliance with AB341. In response to Councilmember Bertone's question Ms. Muse added that any business that generates four yards of trash or more per week are required to comply.

**Councilmember Ebiner** asked how Waste Management knows when a business has an overflow situation.

**Ms. Muse** answered there is a program where drivers use tablets to take pictures of the overflow incidents which are then added to the account information. The business is sent a notification of the observation with an explanation of what happens if there are any future occurrences.

**MOTION:** Motion/second by Councilmember Templeman/Badar to approve the 1.73% rate increase for residential and commercial services as requested by Waste Management effective January 1, 2017 and the commercial recycling cart rates and \$50 overage charge rate. The motion passed by unanimous vote. **(5-0)**

**YES:** Badar, Bertone, Ebner, Morris, Templeman  
**NOES:** None  
**ABSENT:** None  
**ABSTAIN:** None

### **Bonita Avenue Project Update with Power Point**

**Krishna Patel** Director of Public Works gave an update accompanied by a Power Point Presentation.

**Councilmember Bertone** asked for a completion date.

**Mr. Patel** answered that 90% of the work could be done before Christmas.

### **ORAL COMMUNICATIONS**

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

**Ryan Vienna** resident and President of the San Dimas Village Walk Corporation spoke on the Grove Station and Village Walk Corporation CC&R's issues with the trash enclosures and water services.

- b. City Manager

Homeless Shelter and Transportation Schedule for 2016-17

**Mr. Duran** presented this item to council.

- c. City Attorney

Nothing to report.

- d. Members of the City Council

City Representative for the Mosquito Vector Control District

**Mr. Duran** presented this item to council for appointment or for placement on a future agenda.

**RECOMMENDED ACTION:** Discuss and consider making an appointment.

**Councilmember Templeman** clarified that his last meeting will be December and an appointment is needed for the January 2017 meeting.

**ACTION TAKEN:** After some discussion Councilmember Badar announced he would attend the meetings from January thru March 2017 with a future discussion on a permanent appointment to come.

Councilmember Templeman requested a letter from the City Manager be sent to Ken Fujioka.

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

No meeting attended

- 3) Individual Members' comments and update

#### **CLOSED SESSION**

- 1) CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION**  
Pursuant to Paragraph (1) of subdivision (d) of Government Code Section 54945.9.

**Name of Case:** Frank Lindsay v. City of San Dimas, United States District Court,  
Civil Action No. 2:16-cv-08344-JAK-AGR

#### **ADJOURNMENT**

The meeting recessed to a closed session at 7:45 p.m. Closed session adjourned at 8:30 p.m. with no reportable action.



Debra Black, Assistant City Clerk



Curtis W. Morris, Mayor