



**MINUTES**  
**REGULAR CITY COUNCIL**  
**TUESDAY, JANUARY 24, 2006, 7:00 P. M.**  
**COUNCIL CHAMBERS, 245 E. BONITA AVE.**

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**PRESENT:**

Mayor Curtis W. Morris  
Mayor Pro Tem Jeff Templeman  
Councilmember Denis Bertone  
Councilmember John Ebner  
Councilmember Sandy McHenry

City Manager Michaelis  
City Attorney Brown  
City Clerk Rios  
Assistant City Manager Duran  
Community Development Director Stevens  
Public Works Director Patel  
Parks and Recreation Director Bruns  
Planning Manager Hensley  
Housing Programs Manager Kasuyama

**1. CALL TO ORDER**

Mayor Morris called the meeting to order at 7:03 p.m.

**2. ORAL COMMUNICATIONS**

*(For anyone wishing to address the City Council on an 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.)*

a. Members of the Audience

- 1) **Ted Powl**, President/CEO, Chamber of Commerce, issued a reminder of the Citizen of the Year event on Wednesday, January 25, 2006, to honor Mr. Jim Elliott.
- 2) **Mr. Powl** said the Chamber of Commerce Civic Academy is kicking off in April for a nine week course on city government operations and leadership. The fee is \$195 for the course, materials, meals and graduation, and is open to all citizens in San Dimas or surrounding communities.
- 3) **Mr. Powl** invited Council and the public to mark their calendars on Thursday, March 30, 2006, 5:30 pm-8:30 pm, for the "Toast of the Town," a taste of San Dimas, which will showcase 15-20 local restaurants. He said participants will enjoy a pleasant evening of food, wine, and relaxing music at the Stanley Plummer Building. For additional information, contact the San Dimas Chamber of Commerce at 909/592-3818.
- 4) **Ginny Phillips**, 525 No. Amelia Avenue, outlined the series of events over the last six years of their struggle to build a garage, and said she has no confidence a new hearing would change anything.

- 5) **Dennis Phillips**, 525 North Amelia Avenue, mentioned inaccuracies in staff reports; comments regarding lot coverage; and that he agreed with Mayor Morris that the DPRB is restricted by code.
- 6) **Gary Patrick** expressed concern that his vote may not be counted on the mechanical ballot counter, and suggested that ballots be hand tallied, starting with municipal elections.

The City Clerk explained the retention of city ballots and operation of the equipment. Mr. Patrick was invited to participate in the process at the next election.

b. City Manager

No comment.

c. City Attorney

No report.

d. Members of the City Council

Mayor Pro Tem Templeman addressed the anonymous author of a letter with untrue statements that was received by officials and merchants, and said he would be happy to answer any questions to help get the facts straight.

### 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.)*

It was moved by Councilmember McHenry, seconded by Councilmember Ebiner, and unanimously carried to accept, approve and act upon the consent calendar, as amended, as follows:

- a. Resolutions read by title, further reading waived, passage and adoption recommended as follows:
  - (1) No. 06-02, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN DIMAS, CALIFORNIA, APPROVING CERTAIN DEMANDS FOR THE MONTH OF JANUARY, 2006.
- b. Approval of minutes for meetings of November 1, 2005 Study Session; and December 13, 2005 regular meeting.
- c. Award three-year contract to AmeriPride Uniform Services for uniform rental and laundering services.
- d. Proclaim February 3, 2006 "National Wear Red for Women Day" in recognition of the importance of the ongoing fight against heart disease and stroke.
- e. Proclamation recognizing achievements and service for Eagle Scout Awards to Derrek Daniel Flanders, Kyle Dillon Flanders, and Sean Lawrence Moody.

END OF CONSENT CALENDAR

#### 4. PUBLIC HEARING

*(The following item has been advertised and/or posted. The meeting will be opened to receive public testimony.)*

- a. Performance Report for FY 04-05 and FY 05-06 CDBG Program Years and Proposed FY 2006-07 Projected Use of Funds.

Housing Programs Manager Kasuyama explained the subject grant program performance and proposed use of 2006-07 funds. Manager Kasuyama reported that the allocated funds represent a 9% reduction from FY 05-06's allotment of funds. She recommended approval of the proposed FY 2006-07 CDBG Program as outlined in the staff report.

In response to Council, Manager Kasuyama said the Pomona-Inland Valley Council of Churches project is too complicated for staff to operate and maintain; she suggested a contribution from the general fund or fund 34. She added the Council of Churches was funded in the past with CDBG dollars when not too many restrictions were imposed on the City through the CDBG program. She indicated that the Council of Churches serves La Verne and San Dimas residents out of a facility in town and provides additional referral services for homeless shelters in Ontario-Pomona.

City Manager Michaelis stated that the request for this project is below the minimum threshold the County requires.

Mayor Morris opened the public hearing and asked if anyone wished to speak regarding the proposed CDBG program.

**Jennifer Brueggemann**, Pomona-Inland Valley Council of Churches, stated that over the past two years changes were made to accommodate CDBG requirements for the City of San Dimas, as well as surrounding communities, and she felt confident they would be able to meet the requirements of this application.

In response to Mayor Morris' comment that \$10,000 is the smallest allocation that could be made under CDBG funds, Ms. Brueggemann inquired if they would have the opportunity to resubmit the application with a revised budget amount. Mayor Morris added that Manager Kasuyama recommended that the City Council consider funding as part of the regular budgetary process, which would not have the same accounting requirements.

There being no one else wishing to speak, the public hearing was closed.

It was moved by Councilmember Bertone, seconded by Mayor Pro Tem Templeman, to approve the Community Development Block Grant FY 2006-2007 projected use of funds as recommended by Housing Programs Manager Kasuyama in her staff report dated January 17, 2006. The motion carried unanimously.

#### 5. OTHER MATTERS

- a. Approval of Signage for:
  - 1) Proposed Citywide Street Name Signs
  - 2) Redesigned City Overnight Parking Restriction Signs
  - 3) Authorization to waive formal bid process for the purchase of signs, as needed, from United Traffic Control in an amount not to exceed \$20,000.

Public Works Director Patel reported that the City Council was given the opportunity to review and comment on various street name signs, alternatives, colors and standards. The State adopted Federal Manual on Uniform Traffic Control (MUTCD) mandates that all cities in the state comply with the uniform street name sign program by 2012. This standard requires the change to six inches of all four-inch lettering on street name signs. Staff recommends that the City Council 1) approve the citywide street name sign layout as presented by staff; 2) approve the City's overnight parking restriction signs which will replace existing signs at city-boundary limits; 3) waive the formal bid process for fiscal year 2005-2006 for the purchase of signs from United Traffic Control, in the amount not to exceed \$20,000; continue obtaining informal bids not to exceed \$25,000 in FY 06/07 through FY 11/12.

Director Patel responded to Council concerning lettering color and size requirements, and said there would be three different size signs to accommodate the length of street names.

Councilmember Ebner stated that instead of a brown background, a light green background would be more attractive and make the City name more readable.

Mayor Pro Tem Templeman indicated that staff has been working on this project since August, 2005 and moved to approve the citywide street name sign layout as presented by staff; 2) approve the City's overnight parking restriction signs; 3) waive the formal bid process for the purchase of signs from United Traffic Control, in the amount to not exceed \$20,000; and 4) to authorize staff to continue obtaining informal bids not to exceed \$25,000 in FY 2006-07 through FY 2011-12. The motion was seconded by Mayor Morris and carried unanimously.

- b. Authorize letter regarding Federal Communication Commission rule making regarding Local Telecommunication Franchising Agreements.

Assistant City Manager Duran reported that new telephone/cable providers alleged to the Federal Communications Commission (FCC) that in many areas the current operation of the local franchising process serves as an unreasonable barrier to entry into the market. The FCC agreed to review and interpret the Telecommunications Act provisions as it relates to local franchising authority and rule on whether or not the process does not unreasonably interfere with the ability of any new entrant to provide video programming to consumers. Staff reported that at issue is a basic right of local government to have control over use of its rights-of-way and to be justly compensated for that use. Staff recommended that the City Council authorize the City to submit comment on this issue in support of retaining local franchising authority and the City's willingness to invite competitive franchises and process franchise requests in a timely manner.

It was consensus of the Council to authorize staff to submit comments to the Federal Communications Commission as submitted in staff's report. The motion carried unanimously.

- c. Report on Senior Citizens Club Contributions.

Parks and Recreation Director Bruns introduced President Helen Hayes and Vice President Jan Thatcher and as an expression of appreciation, highlighted the annual contributions made to the community by the San Dimas Senior Citizens Club.

Councilmember Bertone thanked the Senior Citizens Club for their generous contributions over the years, and the \$500 contribution for the bronze monument going into the new Sheriff's Station.

Mayor Morris thanked the great group of seniors who volunteer for each other, and he heard they were pleased with the City's Coordinator.

## 6. SAN DIMAS REDEVELOPMENT AGENCY

Mayor Morris recessed at 8:00 p.m. the regular City Council meeting and convened a meeting of the San Dimas Redevelopment Agency Board of Directors. The regular meeting reconvened at 8:15 p.m.

## 7. ORAL COMMUNICATIONS

### a. Members of the Audience

No one spoke.

### b. City Manager

1) Assistant Manager Duran provide a brief update on the Public Utilities Commission's ruling authorizing a 6.69% rate increase in 2006; 2.19% in 2007; and 2.66% in 2008 versus the request by Southern California Water Company for a 24.17% rate increase in 2006; 1.57% in 2007; and 1.5% in 2008. He stated that the PUC was very critical of the water company application for lack of evidence in support for the increase; and for not providing information up front. He commented that the unified voices by residents carried weight in their final ruling.

2) City Manager Michaelis inquired if Council objected to canceling the scheduled study session on February 14, 2006. He reported that one item would not be ready for the meeting and the second item was moved to March. It was consensus of the Council to cancel the study session.

3) City Manager Michaelis announced that the dedication ceremony and open house for the new Sheriff's Station would take place on Saturday, January 28, 2006, 10:00 a.m., and the dedicated art element is a contribution of many people in San Dimas.

Mayor Pro Tem Templeman added that the Sheriff's Station also has a community space and Emergency Operations Center needed for a long time.

### c. City Attorney

1) City Attorney Brown thanked the City Council and said he appreciates being the City Attorney for the City of San Dimas for the past 29 years.

### d. Members of the City Council

#### 1) Consider reappointments to the Public Safety Commission

City Manager Michaelis stated that seven Public Safety Commissioners are eligible for and have expressed an interest in reappointment, with the exception of Elizabeth Gould who has decided to not seek reappointment. Staff requested direction on how to fill the vacancy.

It was moved by Councilmember Bertone, seconded by Mayor Pro Tem Templeman, to reappoint Robert Anderson, Bruce Colburn, James Sloniker, Francis X. Arocha, Bethany Gilbert-Jones, and David Harbin to the Public Safety Commission each to two year terms. The motion carried unanimously.

Mayor Morris stated he and Councilmember McHenry will review applications on file and consider appointment to fill the vacancy at a future meeting.

2) Report on Meetings

City Manager Michaelis outlined the general provisions of AB 1234 which was adopted and became effective on January 1, 2006. One of the requirements of AB 1234 is to have the City Council provide brief reports on meetings attended in which expense reimbursement was sought.

**8. CLOSED SESSION**

Recessed at 8:26 p.m. to a City/Redevelopment Agency closed session pursuant to Government Code Section 54956.8:

- a. Property: Southeast corner of Lone Hill Avenue and Gladstone Avenue  
Negotiating Parties:  
For Agency: Blaine Michaelis, City Manager/Executive Director, and J. Kenneth Brown, City/Agency Attorney.  
For Property: Steve McArthur, Northwest Atlantic - Costco  
Under Negotiation: Possible sale of property and terms and conditions of City/Agency possible participation.
- b. Property: Fox Project Grove Station L.L.C., San Dimas Avenue  
Negotiating Parties:  
For Agency: Blaine Michaelis, City Manager/Executive Director, and J. Kenneth Brown, City/Agency Attorney.  
For Property: William Fox; Jide Alade  
Under Negotiation: Terms and conditions of property disposition and/or Agency participation.
- c. **CONFERENCE WITH LEGAL COUNSEL – PENDING LITIGATION (SUBDIVISION (a) OF GOVERNMENT CODE SECTION 54956.9)**  
Name of Case: Bradley and Rebecca Secreto v. City of San Dimas, LASC Case No. BC298567
- d. Adjourn to closed session pursuant to Government Code Section 54957:  
**PUBLIC EMPLOYEE PERFORMANCE EVALUATION.**  
Title: City Manager

**9. ADJOURNMENT**

The meeting adjourned at 10:55 p.m. The next meeting is on Tuesday, January 31, 2005, 7:00 p.m. for a joint public hearing on the Fox Development project.

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Mayor of the City of San Dimas

ATTEST:

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City Clerk

