



MINUTES
REGULAR CITY COUNCIL
TUESDAY, JUNE 27, 2006, 7:00 P. M.
COUNCIL CHAMBERS, 245 E. BONITA AVE.

PRESENT:

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

City Manager Blaine Michaelis
Assistant City Attorney Mark Steres
City Clerk Ina Rios
Assistant City Manager Ken Duran
Parks and Recreation Director Theresa Bruns
Senior Engineer Shari Garwick
Building and Safety Superintendent Eric Beilstein
Associate Planner Laura Lockett
Associate Planner Marco Espinoza

1. CALL TO ORDER

Mayor Morris called the meeting to order at 7:00 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) **Robert Taylor Mathis**, 226 West Allen Avenue, thanked staff and the City Council for their assistance on the construction of a second unit for his handicapped mother.

2) **Maurice Cuellar** asked if he should discuss budget matters separately, and stated that at a previous meeting \$16,000 is the figure he meant was the cost for additional surveillance equipment budgeted. He inquired about the Farmers Market cancellation.

Mayor Morris replied that there would be an opportunity to speak on items specific to the budget at the time the budget is considered.

Mayor Pro Tem Templeman replied that Music in the Park had hired personnel to operate the market; however, the Farmers Market Manager has commitments in another city on Wednesday nights and is unable to provide the service this year. San Dimas will try again next year.

3) Maurice Cuellar questioned the need to get a new radar trailer. He indicated he spoke with Deputy John Rodriguez whose statistic report reflects only a few complaints each month related to speeding motorists. Mr. Cuellar felt the \$16,000 could be better spent entering into a cooperative agreement between Public Works and Pomona Valley ITS to put in cameras that benefit everyone, instead of just a small group. He mentioned that he has not seen many people sitting at Rhoads park and thought the money slated to purchase a gazebo for that Park could be spent to replace swings at Via Verde park or to buy additional barbecue grills for the various parks. He appreciates the City putting the budget online.

Councilmembers replied that many calls related to speeding go straight to the Lieutenant, the Council, the City Manager, or to “Ask the Mayor” cable program that do not go to the Deputy.

4) Ted Powl, President/CEO, Chamber of Commerce, invited the Council and public to a great day of golf at their Annual golf tournament on July 17, 2006, at Via Verde Country Club, in conjunction with the La Verne Chamber, and sponsored by PFF Bank and Trust.

He also invited everyone to enjoy a great evening with friends and family at the City’s 46th Birthday Barbecue, City Hall Plaza, on Friday, August 4, 2006, with great entertainment and food, as well as hot dogs and free rides for the kids.

Mr. Powl stated that the Chamber has enjoyed a seven year relationship with the Small Business Development Center in Pomona to offer business services to help businesses grow and prosper. He introduced Mike Brady from the Small Business Development Center in Pomona.

5) Mike Brady, Small Business Development Center, Pomona, stated that it is a privilege for him and his team of 15 consultants to work with the Chamber to provide a monthly series of work shops and one-to-one counseling at no cost to San Dimas residents, and for a nominal fee to residents in other cities, to help individuals start and manage their businesses. He made available brochures for the public’s use.

6) Dennis Phillips, 525 No. Amelia Avenue, refreshed comments made seven years ago by Council with respect to conducting studies to determine uses for the Walker House. He stated that the House is deteriorating and he could not find where those studies were conducted to locate a restaurant interested in the building; how to facilitate private use; or to seek public input. He suggested uses for the Mansion could include a bed and breakfast for private use or a bookstore.

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 Ebner, and carried unanimously to accept, approve, or act on the consent calendar, as follows:

- a. Resolutions read by title, further reading waived, passage and adoption recommended as follows:
 - (1) **No. 06-33, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN DIMAS APPROVING CERTAIN DEMANDS FOR THE MONTH OF JUNE, 2006.**
- b. Approval of minutes for study session of April 25, 2006 and regular City Council meeting of June 13, 2006.
- c. Traffic Signal Maintenance Contract – Contract Extension & Annual Cost of Living Adjustment.
- d. Reject claim for damages from Verizon.

END OF CONSENT CALENDAR

4. PUBLIC HEARING

(The following items have been advertised and/or posted. The meeting will be opened to receive public testimony.)

- a. Recommending the Assessment Rate be increased for District 1 (Boulevard, Tract 32818) and District 1, Annexation No. 3 (Northwoods, Tract 32841), pursuant to the Landscape and Lighting Act of 1972 and subject to the procedures and approval process of Section 4 of Article XIID of the California Constitution.

Public Testimony: Public Testimony will be taken regarding the proposed assessment and assessment increase for Fiscal Year 2006-2007. Ballots will be accepted by the City Clerk until the close of the public input portion of the public hearing.

Ballot Tabulation: Following the public testimony portion of the hearing, the City Council will tabulate the returned ballots. The proposed assessment increase will not be imposed if a majority protest exists at the conclusion of the public hearing. A majority protest exists if ballots submitted in opposition to the assessment increase exceed the ballots submitted in favor of the assessment increase.

Adoption of Resolutions:

RESOLUTION NO. 06-34: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN DIMAS, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, CONFIRMING THE DIAGRAM AND ASSESSMENT FOR FISCAL YEAR 2006-2007 FOR OPEN SPACE DISTRICT NO. 1 (TRACT 32818, BOULEVARD DEVELOPMENT.)

RESOLUTION NO. 06-35: RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN DIMAS, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, CONFIRMING THE DIAGRAM AND ASSESSMENT FOR FISCAL YEAR 2006-2007 FOR OPEN SPACE DISTRICT NO. 1, ANNEXATION NO. 3 (TRACT 32841, NORTHWOODS.)

Parks and Recreation Director Bruns provided a summary background and stated that a ballot procedure was conducted for the purpose of obtaining property owner approval of the proposed assessment increases pursuant to the Landscape and Lighting Act of 1972 and Article XIID of the California Constitution. She stated an increase in the assessment rates for the Boulevard and Northwoods Open Space Maintenance Districts is required to provide adequate maintenance, necessary improvements and repairs. She indicated that if either District ballot measure passed, staff recommends adoption of Option 1 of Resolution No. 06-34 and Resolution No. 06-35, approving the Engineer's Report and moving forward with an increased assessment rate. However, if either measure failed, staff recommends the adoption of Option 2 of Resolution Nos. 06-34 and 06-35, approving the Engineer's Report without an assessment increase and moving forward with the current assessment rate.

Assistant City Attorney Steres explained that the subject hearing relates to the Boulevard Development and Northwoods Development and landscape assessment districts in place since the development took place. He stated that in the past the City levied an assessment for maintenance of landscaping but as a result of Proposition 218's passage a vote by the property owners is required.

Mr. Steres reviewed the balloting procedures as explained in the correspondence mailed to affected property owners and stated that all ballots needed to be returned to the city clerk today and could still be delivered tonight until the close of the public hearing; however, once the public testimony portion of the hearing is closed, no additional ballots would be accepted and the city clerk will proceed to open each

ballot for each District and the results would be tallied. He stated that resolutions are before the Council for levying the current assessment plus the increase.

Mayor Morris opened the public hearing regarding the levy of assessments for Fiscal Year 2006-2007 and asked if anyone wished to comment on this subject or submit ballots related to the Boulevard or Northwoods assessments.

There being no one wishing to speak, Mayor Morris closed the public hearing and directed the city clerk to tally the ballots. He stated that the ballots are subject to inspection for six months between 7:30 a.m. to 5:30 p.m. Monday through Thursday, and 8:00 am to 5:00 p.m. on Friday.

As required by the regulations of Proposition 218, the City Clerk proceeded to count the ballots received for Open Space District No. 1 (Tract 32818, Boulevard Development). The results of that tabulation were as follows:

Number of ballots Mailed	19
Number of voted Ballots returned:	4
Number of ballots in support of the 2006-07 annual assessment increase of \$15.47 and future year Consumer Price Index adjustments not to exceed 7%:	4
Number of ballots in opposition to the \$15.47 2006-07 annual assessment increase and future year Consumer Price Index adjustments not to exceed 7%:	0

Assistant City Attorney Steres reported that four ballots were submitted out of 19 parcels in the tract and four voted in favor of the proposed \$15.47 increase in the annual assessment and future CPI adjustments for District No. 1 (Tract 32818, Boulevard); therefore, the measure passed.

As required by the regulations of Proposition 218, the City Clerk proceeded to count the ballots received for Open Space District No. 1, Annexation No. 3 (Tract 32841, Northwoods). The results of that tabulation were as follows:

Number of ballots Mailed	38
Number of voted Ballots returned:	19
Number of ballots in support of the annual assessment increase of \$20.16; Special assessment of \$284.78 to be paid each of ten years 2006-07 through 2015-16; and annual Consumer Price Index adjustments not to exceed 7% only if necessary:	4
Number of ballots in opposition to the annual assessment increase of \$20.16; Special assessment of \$284.78 to be paid each of ten years 2006-07 through 2015-16; and annual Consumer Price Index adjustments not to exceed 7% only if necessary:	15

Assistant City Attorney Steres stated that in Northwoods, there are a total of 38 parcels, of which 19 ballots received. Of those 19 ballots, 15 opposed the levy for the proposed \$20.16 increase in the annual assessment; special assessment of \$284.78 to be paid each of ten years 2006-07 through 2015-16; and future annual CPI adjustments for District No. 1, Annexation No. 3 (Tract 32841, Northwoods.) There is a majority opposed and on the Northwood tract, the increase could not be considered; however, the Council could consider levying the current assessment.

RESOLUTION NO. 06-34: After the title was read, it was moved by Councilmember Ebner, seconded by Councilmember Bertone, to waive further reading and adopt Option 1 of RESOLUTION NO. 06-34: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN DIMAS, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, CONFIRMING THE DIAGRAM AND ASSESSMENT FOR FISCAL YEAR 2006-2007 FOR OPEN SPACE DISTRICT NO. 1 (TRACT 32818, BOULEVARD DEVELOPMENT.) The motion carried unanimously.

RESOLUTION NO. 06-35: After the title was read, it was moved by Councilmember Bertone, seconded by Councilmember Ebner, to waive further reading and adopt Option 2 of RESOLUTION NO. 06-35: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN DIMAS, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, CONFIRMING THE DIAGRAM AND ASSESSMENT FOR FISCAL YEAR 2006-2007 FOR OPEN SPACE DISTRICT NO. 1, ANNEXATION NO. 3 (TRACT 32841, NORTHWOODS.) The motion carried 5.0.

Mayor Pro Tem Templeman said the City cannot continue providing service needs with the level of funding available, and inquired if there were a way to let homeowners take over the responsibility.

Councilmember Ebner stated that Director Bruns would come back with available options and the level of maintenance. He explained that Boulevard Development unanimously approved a \$15.47 annual increase; whereas, Northwoods Development was being asked to vote on an increase of over \$300 per year.

Councilmember McHenry indicated that it would take a unanimous vote of the homeowners to take back the responsibility of maintaining the parcels, and if one property owner opposed the vote, the City would be unable to dissolve the District.

Assistant City Attorney Steres mentioned that there is one conflicting issue in the statute for the formation or dissolution of these assessment districts - whether a major protest can stop the dissolution. He stated the Code is not clear, but he could provide additional information. He stated that prior to Proposition 218, cities had the ability to create assessments that were adequate to provide the required maintenance, however, since then the rules have changed.

Councilmember Bertone requested that the City Manager find out if the City could get out of this situation and report back.

Mayor Morris stated that the Council has expressed interest in what it would take to dissolve the District; what is the budgeted subsidy; and what level of service could be provided for the amount of the levy. Staff was directed to bring back a plan on how to use the money effectively.

Director Bruns mentioned that staff has experienced difficulties with the aged and faulty irrigation system that is in dire need of repair; nevertheless, the plants need watering.

Councilmember McHenry stated that instead of spending money to prune, replant, or re-irrigate, he suggested introducing plant species that live on rain or runoff water such as California Pepper or Palo Verde trees. Director Bruns will take a look at the new budget management system balance to see if she is able to accomplish the changeover.

- b. Consider extension of Emergency Ordinance No. 1159 for an additional ten months and 15 days prohibiting the processing of any tentative maps or other discretionary approvals for conversion of existing non-residential buildings to condominium units.

ORDINANCE NO. 1160, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN DIMAS PROHIBITING THE PROCESSING OF ANY CONDITIONAL USE PERMITS OR OTHER DISCRETIONARY ZONING APPROVALS FOR CONVERSION OF EXISTING NON-RESIDENTIAL BUILDINGS TO CONDOMINIUM UNITS AND PROVIDING FOR ITS ADOPTION AS AN INTERIM URGENCY ZONING ORDINANCE.

City Manager Michaelis reported that Ordinance No. 1159 was enacted to establish a moratorium on the processing of applications related to non-residential condominium conversions. He stated that a

preliminary application was filed to convert an existing industrial building at 949 North Cataract into condominiums for individual sale. Staff is nearing completion of an amendment to the Subdivision Code to address concerns and proposes extension of the moratorium for a maximum of 10 months, 15 days. Staff anticipates that an ordinance establishing parameters could be available for Council consideration at the July 11, 2006 meeting. He stated that the applicant is present to comment.

Mayor Pro Tem Templeman stated that the moratorium was adopted as an effort to provide a response as issues arise.

Mayor Morris opened the public hearing and asked if anyone wished to speak on this issue.

John O'Brien, 3185 Airway Avenue, Costa Mesa, represents the ownership of the property at 949 No. Cataract. He stated he has not had the opportunity to speak with anyone but planner Hensley who assured him the moratorium would not be extended. He expressed areas of concern include the potential impact to existing rental tenants, who pay on a month-to-month basis substantially below market rents and if the ordinance is approved, he would have no choice but to increase the rental rates to market. He stated his intention is to work with the City; however, he reserves his right to raise concerns and distributed a letter from his attorney. He mentioned that urgency ordinance No. 1159 has expired and questioned the legality of whether or not the Council could extend the ordinance. He has worked with other cities that apply the Subdivision Map Act and encouraged San Dimas to do likewise.

Mayor Morris stated the letter would be made part of the official record.

In response to Councilmember McHenry, Mr. O'Brien indicated that the moratorium prevents the city from processing any current application for 10 months, 15 days. He is offering the opportunity for someone to purchase a unit and the city benefits from increased property tax revenues, maintained property, and the ability to enforce code violations.

In response to Councilmember Bertone, Attorney Steres explained the urgency ordinance process and stated that the Council has the option to extend the ordinance any amount of time up to ten months, fifteen days, and is entitled to a second extension up to one year.

In response to Councilmember Ebiner, Attorney Steres replied that the original adoption was for 45 days; the extension was noticed within the 45 day period; and the extension would begin from the 45 day mark.

In response to Mayor Morris, Mr. Steres replied that the Council could direct the Planning Department to continue processing Mr. O'Brien's application. If the Council extends the moratorium ordinance, he recommended that the ordinance prohibit the approval of any conditional use permit or other discretionary zoning approval. He stated that any ordinance adopted through moratorium would be applicable to their application when reviewed or approved.

In response to Councilmember Ebiner, Mr. Steres stated that if the Council adopts a new ordinance, the new ordinance would terminate the moratorium.

In response to Councilmember McHenry, Mr. O'Brien agreed to formulate what each department requires, and comply with conditions; however, he is not ready to get the final tract map approved. He added that the State Map Act gives separation requirements of the units and he would comply with all those requirements.

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

In response to Council, Mr. Steres stated that this application triggered the need for the ordinance, and whatever ordinance is adopted is going to be applicable citywide. If the Council wants this applicable to this project, he would recommend continuing the moratorium until the ordinance is adopted. He said the Council would need to decide tonight whether or not to extend the moratorium. He indicated there are legal rights once an application is complete and what existing laws are at the time, especially in the Subdivision Map Act. With the Conditional Use Permit, if laws change between the application and decision, those new laws apply. With the Subdivision Map Act it would lock in the laws of the time.

It was moved by Councilmember Bertone to extend the urgency ordinance to August 22, 2006, and if at that time a problem arises, the ordinance could be extended to one additional year, and that the applicant work with staff to continue the process.

Mr. Steres advised that the ordinance title be changed from "prohibiting the processing" to "prohibiting the approval" of any conditional use permits or other discretionary zoning approvals for conversion of existing non-residential buildings to condominium units and providing for its adoption as an interim urgency zoning ordinance. He further recommended that at the end of section 1, change "shall be accepted for filing or processing with the City" to "shall be approved by the City."

The motion was seconded by Mayor Pro Tem Templeman.

Mayor Morris felt the timeline was too short; therefore, he would vote against this motion.

Councilmember McHenry stated he would vote against the moratorium, but suggested setting a definitive timeline that works for staff, Planning Commission and City Council. He thought moratoriums are almost always a failure to anticipate planning and zoning rules and are reactionary. He felt the applicant had a reasonable expectancy to be notified whether or not it is a legal requirement.

Four votes were not obtained and the motion failed.

Mayor Morris thought a four month extension would be appropriate.

Mr. Steres stated there are two other amendments as presented and Section 1 will now read: "notwithstanding any other provisions of the San Dimas Municipal Code, no conditional use permits or other discretionary zoning approvals, nor zoning applications for conversions of non-residential buildings to condominium units shall be approved by the city."

The end of Section 2 will read: "This ordinance is therefore adopted to preserve the peace, health and general welfare of the community as authorized by Section 65858 of the Government Code, and the same shall take effect immediately upon its adoption and remain in effect for a maximum of 120 days or until an ordinance establishing new standards is adopted."

After the title was read, it was moved by Councilmember Bertone, seconded by Mayor Pro Tem Templeman, to waive further reading and adopt **ORDINANCE NO. 1160: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN DIMAS PROHIBITING THE APPROVAL OF ANY CONDITIONAL USE PERMITS OR OTHER DISCRETIONARY ZONING APPROVALS FOR CONVERSION OF EXISTING NON-RESIDENTIAL BUILDINGS TO CONDOMINIUM UNITS AND PROVIDING FOR ITS ADOPTION AS AN INTERIM URGENCY ZONING ORDINANCE.** The motion carried 4.1, with Councilmember McHenry opposed.

It was the consensus of the City Council to direct staff to present the ordinance for Planning Commission action at their first meeting in July, and thereafter, at the first available meeting of the City Council.

5. OTHER

a. 2006-2007 Annual City Budget

1) Adoption of 2006-2007 Annual Capital and Operating Budget.

City Manager Michaelis summarized all recommended changes since the May 9, 2006 study session including a request from the City Attorney for an adjustment in rates and provided a general background of the 2006-07 City Budget. He stated that staff was directed to provide additional information as it relates to a proposal to share in the cost of a hydrology study for storm drain planning and design for the Fox Project.

Senior Engineer Garwick summarized a request to appropriate \$30,000 from redevelopment funds to prepare a comprehensive hydrology study to assess the impact on the William Fox project site and on existing storm drain systems at the Arrow Highway and San Dimas Avenue intersection. She stated that under a cooperative project and due to common interests and responsibilities, William Fox has agreed to pay 50% of the hydrology study costs.

It was moved by Mayor Pro Tem Templeman, seconded by Councilmember Ebiner, to authorize \$30,000 from redevelopment funds for the preparation of a hydrology study for the William Fox Project. The motion carried 4.1, with Councilmember McHenry opposed.

It was moved by Councilmember Bertone, seconded by Mayor Pro Tem Templeman, to authorize a rate increase in the hourly rates for legal services. The motion carried 4.1, with Councilmember McHenry opposed.

Mayor Morris asked if anyone wished to speak on the issue of the budget.

Maurice Cuellar requested removal of \$16,000 slated for digital surveillance, or to reclassify it to be used for CCTV closed circuit cameras; and removal of \$30,000 for Rhoads Park gazebo and \$34,000 for the radar trailer.

In response to Councilmember Ebiner, Mr. Cuellar said the \$16,000 could be better spent installing CCTVs at the intersections of Gladstone/Lonehill and other locations having traffic issues, and the \$34,000 to be spent on a radar trailer could be spent on patrol cars, or the CAT Team.

Mayor Morris explained that the hi-tech trailer would provide a tremendous amount of information about the usage of streets, hours of use, average speeds and conduct traffic surveys.

In response to Mayor Pro Tem Templeman, Mr. Cuellar indicated that Deputy Rodriguez should be notified of calls reporting traffic issues to include in his statistic report.

Mayor Morris explained that the City Manager communicates information through the Captain of the Sheriff's Department.

Mayor Pro Tem Templeman stated that these cameras would be put up in cooperation with the Public Works/Sheriff Department, and he remains supportive of Public Safety/Public Works together, to place the cameras in high crime areas.

It was moved by Councilmember Bertone, seconded by Councilmember McHenry, to adopt the proposed 2006-2007 Annual Capital and Operating Budget. The motion carried 5.0.

- 2) **RESOLUTION NO. 06-36**, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN DIMAS, ADOPTING AND EXTENDING THE PAY PLAN AND REIMBURSEMENT SCHEDULE FOR CITY EMPLOYEES

After the title was read, it was moved by Councilmember McHenry, seconded by Councilmember Ebiner, to waive further reading and adopt:

RESOLUTION NO. 06-36, 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.

The motion carried unanimously.

- 3) **RESOLUTION NO. 06-37**, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN DIMAS, ADOPTING AN APPROPRIATIONS LIMIT FOR FISCAL YEAR 2006-2007 AND APPROPRIATE EXCESS REVENUES.

After the title was read, it was moved by Councilmember Ebiner, seconded by Councilmember Bertone, to waive further reading and adopt:

RESOLUTION NO. 06-37, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN DIMAS, , ADOPTING AN APPROPRIATIONS LIMIT FOR FISCAL YEAR 2006-2007 AND APPROPRIATE EXCESS REVENUES.

The motion carried unanimously.

6. SAN DIMAS REDEVELOPMENT AGENCY

Mayor Morris recessed the regular meeting at 9:01 p.m. and convened a meeting of the San Dimas Redevelopment Agency Board of Directors. The regular meeting reconvened at 9:04 p.m. with all members present.

7. ORAL COMMUNICATIONS

- a. Members of the Audience

No one.

- b. City Manager

No items.

- c. City Attorney

No items.

- d. Members of the City Council

- 1) Report on meetings

Members had nothing to report.

2) Reappointments to Equestrian Commission.

It was moved by Councilmember McHenry, seconded by Councilmember Bertone, to reappoint Debbie Humphreys, Shari Nichols, and Misty Reiss to the Equestrian Commission for a two-year term. The motion carried unanimously.

3) Appointments to Parks and Recreation Commission.

On June 22, 2006 Mayor Morris and Councilmember Ebener interviewed applicants for the Parks and Recreation Commission and recommended appointments.

Councilmember Ebener stated they interviewed highly qualified applicants interested in serving and moved to appoint Susan Davis, Georgia Florentine and Caryol Ann Smith to the Parks and Recreation Commission for a two-year term to expire June 30, 2008. The motion was seconded by Councilmember Bertone and carried unanimously.

4) Appeal DPRB Case No. 06-34, 303 North Iglesia Street.

Councilmember Ebener thought the City Council should review massive projects for compatibility to the neighborhood and set criteria.

Mayor Morris stated it would be beneficial to set guidelines and parameters in a study session format but did not know if a review of the DPRB decision could be done in a study session.

Attorney Steres recommended hearing and taking action on a specific application and stated it would be worthwhile to develop new criteria for the DPRB from the issues that come out of it.

In response to Council, Building and Safety Superintendent Beilstein replied that one condition of approval requires the applicant to relocate the driveway approach to align to the existing garage to the west and to put in landscape parkway.

Staff was directed to schedule with the applicant an appropriate time for appeal.

5) Councilmember Ebener reported the Library has new personnel since the retirement of Children's Librarian Elaine Reed, and Story Time would resume June 30, 10:30 a.m. for pre-schoolers, and reading programs for young people at different levels. He highly recommends the Dinosaur tour, Magicians, and Marionettes.

6) Councilmember McHenry brought up two issues at a recent DPRB meeting. He stated the Board grappled with details of an office building in Via Verde and continued this item with direction that staff should work with the applicant to provide design assistance. Secondly, the Board denied a request from the San Dimas Community Church for window replacement. The Board held the historic building to a higher standard than residential property and felt that the windows could be restored. The Board thought the Council should take a look at the materials

8. CLOSED SESSION

Recessed at 9:25 p.m. to a City/Redevelopment Agency closed session pursuant to Government Code Section 54956.8:

a. **CONFERENCE WITH REAL PROPERTY NEGOTIATOR**

Property: Property acquisition pursuant to the Disposition Development Agreement with Costco for the Costco project at the southeast corner of Lone Hill and Gladstone.
APN: 8383-009-004; 019, 025, 026, 044, 045, 046 & 047, 602 N. Lone Hill Avenue; 526 N. Lone Hill Avenue; 522 N. Lone Hill Avenue; 514 N. Lone Hill Avenue; 508 N. Lone Hill Avenue.
APN: 8383-009-034, 943 W. 5th Street; 943 "B" W. 5th Street
APN: 8383-009-035, 933 W. 5th Street
APN: 8383-009-017, 018, & 036, 1000 W. Gladstone
APN: 8383-009-015 & 016, 1002 Gladstone Street; 1004 Gladstone Street.
APN: 8383-010-054, 942 W. 5th Street
APN: 8383-010-009, 922 W. 5th Street
APN: 8383-010-018, 019 & 020, 914 W. 5th Street

b. Report on Closed Session Items:

Agency Board authorized the purchase of the Darden property for \$1.3 million.

9. ADJOURNMENT

Adjourned at 9:46 p.m. The next meeting is July 11, 2006, 7:00 p.m.

Mayor of the City of San Dimas

ATTEST:

City Clerk