



MINUTES
REGULAR CITY COUNCIL
TUESDAY, JULY 25, 2006, 7:00 P. M.
COUNCIL CHAMBERS, 245 E. BONITA AVE.

CITY COUNCIL:

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
Building & Safety Superintendent Beilstein

1. CALL TO ORDER

Mayor Morris called the regular meeting of the City Council to order at 7:02 p.m. and led the flag salute.

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) Maurice Cuellar distributed brochures and urged Council to turn the seasonal Farmer's Market into a year-round event.

Mayor Morris suggested Mr. Cuellar discuss his ideas with Parks and Recreation Director Theresa Bruns and she could bring a report to the Council for consideration.

2) Debbie Yasher, San Dimas Librarian, introduced the new children's Librarian, **Galen Gillote**.

3) Galen Gillote, Children's Librarian, known as "Miss G" to her young library users, said as a long term San Dimas resident, when the opening came up, she was pleased to transfer from the Walnut Library, and hopes to be able to provide the children of San Dimas with quality children services. She outlined the various summer programs as well as class visits.

In response to Mayor Morris, Miss Gillote replied that the Library is open five days a week – Tuesday from 12:00 noon to 8:00 pm; Wednesday/Thursday from 1:00 pm to 8 pm; and Friday/Saturday from 10:00 am to 5:00 pm. She added that the hours are not yet set for the additional day authorized by Supervisor Antonovich, and once set, will be hiring a new reference librarian to help out with the extended hours.

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 Bertone, seconded by Councilmember McHenry, and carried unanimously to accept, approve and act upon the consent calendar, as presented, as follows:

- a. Resolutions read by title, further reading waived, passage and adoption recommended as follows:
 - (1) **RESOLUTION NO. 06-40, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN DIMAS APPROVING CERTAIN DEMANDS FOR THE MONTH OF JULY 2006.**
- b. Approval of minutes for the regular City Council meeting of July 11, 2006.
- c. Reject claim for damages from George and Anna Navarro.
- d. Lot Line Adjustment 06-02, 195 East Arrow Hwy. Adjust lot lines in accordance with Tentative Tract Map 066251 requirements.

END OF CONSENT CALENDAR

4. ORDINANCES

- a. Ordinances read by title, further reading waived, passage and adoption recommended as follows:
 - (1) **ORDINANCE NO. 1161, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN DIMAS ADOPTING A NEW SECTION 17.64 OF THE SAN DIMAS MUNICIPAL CODE REGARDING NON-RESIDENTIAL CONDOMINIUM CONVERSIONS.**
SECOND READING

A moratorium on non-residential condominium conversions was adopted on May 9, 2006 and extended on June 27, 2006 by the City Council. Ordinance No. 1161 was introduced at their July 11, 2006 meeting to set forth a process for the conversion of existing non-residential buildings and complexes from single to multiple ownership.

After the title was read, it was moved by Councilmember Ebiner, seconded by Councilmember Bertone, to waive further reading and adopt **ORDINANCE NO. 1161, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN DIMAS ADOPTING A NEW SECTION 17.64 OF THE SAN DIMAS MUNICIPAL CODE REGARDING NON-RESIDENTIAL CONDOMINIUM CONVERSIONS.** The motion carried 4.1, with Councilmember McHenry opposed.

5. OTHER

- a. Receive report: Water issues on Calle Carrillo.

Building and Safety Superintendent Beilstein reported that on July 11, 2006, the City received a petition from homeowners adjacent to Calle Carrillo and Avenida Lomita addressing significant water seepage from a private slope and inadequate response from the City and Water Company. He stated that for the past two years, staff has addressed the immediate health and safety concerns, but has had limited success in getting Golden State Water Company to investigate the source and share results with the City. Staff recommends that the City Council request Golden State Water Company to submit all test results to date and provide an action plan to determine the water source. He suggested scheduling a meeting between residents, staff and water company representatives.

Jim Gallagher, Vice President, Golden State Water Company, briefly elaborated on what the Water Company is doing to identify whether or not the water flow is coming from the Water Company System. He said a professional dive firm found a few minor cracks in the interior of the reservoir, which have now been sealed. He reported that they completed a leak survey of the surrounding streets in the area and were unable to identify any leaks in their distribution system. He added that water quality testing done in July 2005 indicated that water flow in the area in question is different than the water in their distribution system. In response to the chlorine residual, he said lab testing conducted in March 2006 by the City and repeated in July by the Water Company, indicated chlorine residual of about .1 parts per million, confirming the water flow was not their water. They concluded from those two factors that the water flow is not coming from their distribution system.

In response to Mayor Pro Tem Templeman, Mr. Gallagher stated that all leaks identified on their system were repaired immediately and customers were notified to take steps to correct leaks identified on customer lines and meters.

In response to Councilmember Bertone, Mr. Gallagher replied that there is a possibility that the leak with a low level of chlorine could be a combination of gutter water, source water, and natural spring water.

Director Patel responded to Mayor Pro Tem Templeman that other areas in Via Verde where there has been found a lot of water include Paseo Alondra, Monte Vista, and maybe Puente. He stated that as part of development, subdrains were installed to direct water on the north side and to take care of natural ground water.

Councilmember McHenry stated he is willing to listen, but supported a cooperative approach between the three parties to resolve this issue and suggested hiring a geologist.

In response to Council, Mr. Gallagher replied that it would be appropriate to have an independent firm discuss with the three parties a scope of work to identify the source of water and determine how to address it or eliminate those things it is not. He believes that the source of leakage does not come from their system; however, he would enter into discussion with an open mind to look at all possibilities to address the problem.

In response to Councilmember Ebner, Mr. Gallagher said the leak detection survey focused on the area beginning at the water tank down to below the flow of water site. He did not have information that over irrigation was one of the contributors, and based on the diver's professional experience, the estimated flow rate from the water tank was 1/4 gallon per minute and roughly four gallons per minute at the site of the leak. He added that all cracks identified on the tank have been sealed.

In response to Mayor Pro Tem Templeman, Mr. Gallagher stated that anything beyond the customer's meter or on the customer's property is not part of the Water Company system. He indicated that a natural spring located on a customer's property would fall under the jurisdiction of the Health Department to determine usability and costs associated with the use of the water.

In response to Councilmember Bertone, City Manager Michaelis stated that staff could bring back the Engineer's cost estimates and formally request appropriation of funds.

In response to Councilmember Bertone, Mr. Gallagher said he welcomed resident financial involvement; however, he would be prepared to participate with just the City.

Councilmember Bertone recommended that the City work with the Water Company to hire an engineer/geologist.

Mayor Morris thought it might be more cost effective if rather than determining the source of the leak, the experts could determine how to get the water into the storm drain.

It was the Council's consensus that the City participate with the Water Company for the financial expenditure of hiring an engineer/geologist to identify the scope of work and identify the most effective manner of managing or disposing of the water, and to include resident involvement.

Public Works Director Patel and Building and Safety Superintendent Beilstein were identified as staff liaison for the City of San Dimas; District Manager Alice Shiasawa and Superintendent John Standing would be primary contacts for Golden State Water Company.

Mayor Morris asked if anyone in the audience would like to speak on this issue.

1) Jerry Fincher, 956 Calle Primavera, stated he and his wife reported the water flow for at least ten years. He indicated that the surface of the hillside is very dry and the water is coming over the wall from the most easterly home. He added that his home is located by a fire hydrant used to relieve water pressure and which was broken and removed approximately 1.5 weeks. He is not comfortable with the Water Company's response that there was no measurable loss of water other than the fire hydrant leaking into the street, and is not satisfied that the piece of property is other than dry. He mentioned that all the new hydrants are six-bolt flange and the eight-bolt flange fire hydrant is going to be replaced by the Water Company.

2) Ken Chang, 920 Calle Primavera, stated he and his neighbors are here to petition Council support to resolve long standing water issues on Calle Carrillo. He expressed frustration with the Water Company not providing backup to their claim that the leak is spring water. He would like the city to designate a public works civil engineer as the single point of contact responsible for assisting in developing and implementing techniques to determine the source of the water. He would also like a complaint filed with the Public Utilities Commission against the Water Company to compel them to detect water leaks throughout the entire underground water tanks, water mains, and pipes. Additionally, they would like the Water Company to conduct three simple tests to identify the source of water: 1) a simple tracer test; 2) hydrostatic test; and 3) an independent water lab test.

3) Joyce Kuyanov, 926 Calle Primavera, said this issue goes back several years and at that time, the water started coming up in the sidewalk area, and as the years went by, the water came over the wall. She indicated that throughout the years, the Water Company sent representatives to her home to look for a leak; last year they checked the water in her swimming pool. She indicated that the Water Company has a vested interest in determining that the water is not coming from their source and urged the Council to consider this when making a recommendation on how to handle this problem. She said it might be a good idea to get a third party determination.

4) William Madsen, 932 Calle Primavera, stated that recently he had to put in a new driveway, a new walkway and a new patio because the ground started cracking. The insurance company ran investigations that determined the source did not come from underground springs, and the inspection found no leakage from the house. He thanked Council for looking into this matter.

5) Ginny Castillo, 938 Calle Primavera, said that over the past couple of years, she has reported several leaks in the middle of the street. She indicated that it took eight weeks to get a response for one leak bubbling out of the street and only responded when a neighbor's child fell. She has cracks in her driveway and damage around the patio and curbing. She urged Council to solve this matter.

Councilmember Ebner expressed concern that if just the City and Water Company decided on a course of action, the residents might be suspicious of such a report if they were not involved in discussions.

Staff was directed to work with the Water Company to hire an engineer/consultant, involve residents, and report back to the Council in thirty days.

Councilmember McHenry suggested contacting Geologist Tim Hirsch who could provide a cost estimate to quickly and inexpensively determine the source of water and remediation ideas.

Councilmember Bertone requested staff submit an update at the next meeting.

- b. Request Council direction on whether or not to continue the Speed Hump policy.

Public Works Director Patel reported that at recent study sessions, the Council confirmed its position on a long-standing informal policy of not using speed humps to slow down vehicles on city streets. If Council desires to implement a speed hump policy, staff recommends that the Traffic Safety Committee compile a draft policy to be reviewed by the Public Safety Commission; Fire Department; Sheriff's Departments; and reviewed and adopted by the City Council at their October 10, 2006 meeting.

Councilmember Bertone said traffic is a major issue and some residents have indicated they want speed humps. He thought the City should give speed humps a try and if they do not work, they could be eliminated. He requested that engineering staff draft a speed hump policy using the experience of other cities, and consulting with the Los Angeles County Fire Department and Los Angeles County Sheriff's Department.

Councilmember McHenry thought both Walnut and Diamond Bar policies were practical, reasonable, and parallel to each other. He indicated that the goal of speed humps is to calm traffic and thought the policy was worth adopting, but would like to see it done in a positive, creative way.

Mayor Morris expressed opposition to installing an unapproved device in the roadway that does not conform to state law, causes a dangerous condition, and leaves the City vulnerable to liability. However, he stated that it appears the majority of Council want staff to bring back a draft policy.

Councilmember Ebner suggested staff include more numerical standards to facilitate the process and if the standards were not met, speed humps would not be approved.

In response to Councilmember Ebner, Director Patel said the difference between Walnut and Diamond Bar, is that Diamond Bar has restrictions and the city uses speed humps primarily as a commuter route whenever traffic queues on the 60 Freeway.

6. SAN DIMAS REDEVELOPMENT AGENCY

Mayor Morris recessed the regular city council meeting at 8:26 p.m. to convene a meeting of the San Dimas Redevelopment Agency Board of Directors. The regular meeting reconvened at 8:28 p.m. with all members present.

7. ORAL COMMUNICATIONS

- a. Members of the Audience

No one came forward to speak.

- b. City Manager

The City Manager had no report.

c. City Attorney

The City Attorney had no report.

d. Members of the City Council

1) Report on Meetings.

Councilmembers had nothing to report.

2) Mayor Pro Tem Templeman thanked a scout in the audience who managed to stay throughout the entire meeting, and asked if he had anything to say.

Steven Norvack replied he is in attendance to earn his merit badge.

3) Mayor Pro Tem Templeman stated he read a report from Caltrans that they now agree with the City of San Dimas concerning the need for an additional carpool lane on the 210/57 freeway as well as other traffic pattern work. He thanked public works staff for the update.

4) Councilmember Ebner indicated that seniors who want to beat the heat could get relief at the air-conditioned Senior Citizens Center from 8:00 a.m. to 5:30 p.m. each weekday.

City Manager Michaelis said they are certainly welcome in city hall and any other public building. He mentioned that the Library is another potential place where seniors could go. He indicated that city facilities could be open on an extended basis to be able to accommodate those who need to come in.

5) Councilmember Bertone commended staff for all their work in handling the water issue. He hopes it all works out.

6) Mayor Morris announced that Captain Jim Curtis is going to be the featured person to answer questions on "Ask the Mayor" Thursday, July 27, 2006, at 7:30 p.m.

8. CLOSED SESSION

Mayor Morris recessed at 8:35 p.m. to a City/Redevelopment Agency closed session pursuant to Government Code Section 54956.8:

a. **CONFERENCE WITH REAL PROPERTY NEGOTIATION**

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.

There was no reportable action.

9. ADJOURNMENT

The meeting adjourned at 9:05 p.m. The next meeting is on August 8, 2006, 7:00 p.m.

Mayor of the City of San Dimas

ATTEST:

City Clerk