



MINUTES
REGULAR CITY COUNCIL
TUESDAY, OCTOBER 10, 2006, 7:00 P. M.
COUNCIL CHAMBERS, 245 E. BONITA AVE.

PRESENT:

Mayor Pro Tem Jeff Templeman
Councilmember Denis Bertone
Councilmember John Ebiner
Councilmember Sandy McHenry

City Manager Michaelis
City Attorney Brown
City Clerk Rios
Assistant City Manager of Community Development Stevens
Assistant City Manager Duran
Public Works Director Patel
Parks and Recreation Director Bruns
Senior Engineer Garwick
Municipal Arborist Day

ABSENT:

Mayor Curtis W. Morris

1. CALL TO ORDER AND FLAG SALUTE

Mayor Pro Tem Templeman called the regular meeting to order at 7:00 p.m. and led the flag salute.

2. RECOGNITIONS

- Proclaim October 2006 as Fire Prevention Month.

Mayor Pro Tem Templeman stated that San Dimas is lucky to have a wonderful relationship with the Fire Department and presented to District Captain Joe Hernandez, Los Angeles County Fire Department, a proclamation declaring October 2006 as Fire Prevention Month.

District Captain **Joe Hernandez** thanked the Council for declaring October Fire Prevention month. He also reminded citizens to turn back their clocks one hour on October 29, and to change batteries on their smoke detectors.

3. 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, thanked the Council, staff, Sheriffs Department, and volunteers for their support and assistance during the successful Western Days event.

4. 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.)

In response to Councilmember Bertone, Municipal Arborist Day replied that she is applying for a \$19,000 grant from the Urban Forestry Grant Program.

Councilmember McHenry requested removal and separate consideration of item 4a(1).

It was moved by Councilmember Bertone, seconded by Councilmember Ebner, and carried unanimously by those present, to accept, approve, and act upon the consent calendar, as amended, as presented, as follows:

- a. Resolutions read by title, further reading waived, passage and adoption recommended as follows:
 - (2) **No. 06-53**, A Resolution of the City Council of the City of San Dimas Calling and giving notice of the holding of a general municipal election to be held on Tuesday, March 6, 2007, for the election of certain officers as required by the provisions of the laws of the State of California relating to general law cities.
 - (3) **No. 06-54**, A Resolution of the City Council of the City of San Dimas Requesting the Board of Supervisors of the County of Los Angeles to render specified services to the City relating to the conduct of a General Municipal Election to be held on Tuesday, March 6, 2007.
 - (4) **No. 06-55**, A Resolution of the City Council of the City of San Dimas, County of Los Angeles, State of California, Adopting regulations for candidates for elective office pertaining to candidate statements submitted to the voters at an election to be held on Tuesday, March 6, 2007.
 - (5) **No. 06-56**, RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN DIMAS, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, FOR FUNDING FROM THE URBAN FORESTRY GRANT PROGRAM ENTITLED, "GREEN TREES FOR THE GOLDEN STATE", AS PROVIDED THROUGH PROPOSITION 12.
- b. Approval of minutes for September 26, 2006 regular City Council meeting and special study Session meeting of September 26, 2006.
- c. Approve budget appropriations in the amount of \$14,565 and award bid for dedicated air conditioning for computer room.
- d. Proclaim October 28, 2006 "Make a Difference Day."

END OF CONSENT CALENDAR

4a (1) No. 06-52, A Resolution of the City Council of the City of San Dimas Approving certain demands for the months of September and October, 2006.

It was moved by Councilmember Bertone, seconded by Councilmember Ebner, to waive further reading and adopt Resolution No. 06-52. The motion carried 3.1, with Councilmember McHenry abstaining.

5. OTHER

- a. Demonstration: Los Angeles County Library on-line tutoring assistance.

Councilmember Ebiner stated that the Los Angeles County Library is a great place to go for research on any subject. He introduced San Dimas Branch Librarian Debbie Yasher for a tutorial demonstration.

Debbie Yasher, Librarian, San Dimas Branch, said thanks to the generosity of Supervisor Antonovich, the library is open additional hours and he approved the hiring of new staff member, Barbara Nightingale, Reference and Young Adults Librarian who would provide the demonstration.

Barbara Nightingale, Reference Librarian, San Dimas Branch, Los Angeles County Library, provided a brief background on her experience and then demonstrated the on-line tutoring assistance program. Ms. Nightingale replied to Council's questions concerning requirements to access the database. A library card is required and could be obtained free of charge at the Library.

Councilmember Ebiner left the dais at 7:23 p.m. and returned at 7:25 p.m.

- b. Consider setting a public hearing for the vacation of the alley west of Dallas Road, north of Fifth Street behind 221 and 225 West Fifth Street and adoption of Resolution No. 06-57 providing intent to vacate the subject alley.

RESOLUTION NO. 06-57, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN DIMAS, DECLARING ITS INTENT TO CONDUCT A PUBLIC HEARING TO VACATE A PORTION OF PUBLIC ALLEY ON FIFTH STREET, WEST OF DALLAS ROAD AND TO THE REAR OF 221 AND 225 W. FIFTH STREET.

Senior Engineer Garwick reported that the owner of 221 and 225 W. Fifth Street has requested that the City vacate a portion of the 20-foot wide alley adjacent to and north of these properties. Engineer Garwick stated that this section of the alley is unimproved and currently is not being used for street purposes. Staff recommends adoption of Resolution No. 06-57 to set a public hearing on November 14, 2006 to consider vacating this section of alley.

After the title was read, it was moved by Councilmember McHenry, seconded by Councilmember Bertone, to waive further reading and adopt RESOLUTION NO. 06-57, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN DIMAS, DECLARING ITS INTENT TO CONDUCT A PUBLIC HEARING TO VACATE A PORTION OF PUBLIC ALLEY ON FIFTH STREET, WEST OF DALLAS ROAD AND TO THE REAR OF 221 AND 225 W. FIFTH STREET. The motion carried unanimously by those present.

- c. Consider San Dimas Community Tree Management Ordinance.

ORDINANCE NO. 1163, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN DIMAS ADDING CHAPTER 13.36 TO THE SAN DIMAS MUNICIPAL CODE APPROVING COMMUNITY TREE MANAGEMENT FOR THE CITY OF SAN DIMAS. INTRODUCTION AND FIRST READING.

Municipal Arborist Day summarized the proposed ordinance that establishes regulations and policy governing tree maintenance, planting, and removal of community trees. Staff recommended that Council approve the first reading of Ordinance No. 1163.

In response to Councilmember Bertone, Arborist Day replied that the ordinance pertains only to city trees and not trees on private property.

After the title was read, it was moved by Councilmember McHenry, seconded by Councilmember Bertone, to waive further reading and introduce **ORDINANCE NO. 1163**, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN DIMAS ADDING CHAPTER 13.36 TO THE SAN DIMAS MUNICIPAL CODE APPROVING COMMUNITY TREE MANAGEMENT FOR THE CITY OF SAN DIMAS. The motion carried unanimously by those present.

6. SAN DIMAS REDEVELOPMENT AGENCY

Mayor Pro Tem Templeman recessed the regular meeting at 7:30 p.m. and convened a meeting of the San Dimas Redevelopment Agency Board of Directors. The meeting reconvened at 7:31p.m..

7. ORAL COMMUNICATIONS

a. Members of the Audience

No one came forward to comment.

b. City Manager

The City Manager had nothing to report.

c. City Attorney

The City Attorney had nothing to report.

d. Members of the City Council

1) Comments on recent DRPB Cases: No. 06-40 and No. 06-06.

Councilmember Ebner expressed two concerns: 1) Development Plan Review Board approval on projects that require significant changes; he felt that the DRPB should review the revised plans; 2) the action minutes lack sufficient information or discussion that lead to the decision.

Councilmember McHenry stated that staff is present at the meetings and has the benefit of hearing the discussion. He indicated that the intent is to keep the applicant moving forward and the DPRB generally approves a project subject to changes. He agreed that minutes could include more detail.

Councilmember Bertone stated that there was concern about the size of the project; however, staff felt that approval of another home in the neighborhood set a precedent; therefore, this project was approved.

Director Stevens stated that this case fell generally within the parameters of the appeal previously heard by the City Council. Staff did an extensive comparison report and queried whether or not to continue the project and require the applicants to bring back revised plans. It was staff's feeling that the changes were not so significant and the intent was to help the applicant move forward knowing there might be details that needed to be addressed when final plans were presented to staff at the permit stage of the project. Mr. Stevens stated that the minutes intentionally do not have the same level of detail as Planning Commission or City Council minutes. The idea is to provide bullet points that raise primary points; however, staff could provide more detailed minutes if that is what the City Council desires.

In response to Mayor Pro Tem Templeman, Director Stevens stated that there are occasional amendments to the minutes to include additional comments to clarify the points. He would prefer to not go into more detailed minutes simply because he did not think they would be helpful.

Councilmember Ebner suggested including a summary of comments for every major issue discussed.

Councilmember Bertone agreed with the addition of comments, but thought it was more important to realize that when Council makes a decision it sets a precedent that affects other projects.

Councilmember Ebner suggested waiting until after the election to consider adopting regulations to address scale of houses in relation to their surroundings.

Councilmember McHenry stated that the goal is to get the project approved and if the applicant disagrees with the Board's decision, they have the right to appeal the case to the City Council for a denovo hearing. He felt it was critical to get enough bullet points in the minutes to make it clear.

2) Report on meetings

Councilmember Bertone reported that he attended the California Contract Cities Association 26th annual Fall Seminar on October 6-8, 2006, in Coronado. He said there were two main topics: Homeland Security on the Local Front and Gas B 45 Accounting and Financial Reporting, and stated he has full confidence in the city manager to handle the finances of the city.

3) Mayor Pro Tem Templeman commented on the turnout for the parade and stated the event did well and a good time was held by all.

8. CLOSED SESSION

Mayor Pro Tem Templeman recessed at 7:55 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. 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

- c. Report on closed session.

There was no reportable action.

9. ADJOURNMENT

The meeting was adjourned at 8:07 p.m. The next meeting is on October 24, 2006, 5:00 p.m. for a study session on Downtown Planning Charrette.

Mr. Stevens stated the 5:00 p.m. meeting on the Downtown Planning Charrette would be televised.

Mayor of the City of San Dimas

ATTEST:

City Clerk