



MINUTES
REGULAR CITY COUNCIL
TUESDAY, MARCH 13, 2007, 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

City Manager Michaelis
City Attorney Brown
City Clerk Rios
Assistant City Manager Stevens
Assistant City Manager Duran
Development Services Director Coleman
Public Works Director Patel
Parks and Recreation Director Bruns
Planning Manager Hensley
Associate Planner Lockett
Assistant Planner Concepcion

ABSENT:

Councilmember Sandy McHenry

1. CALL TO ORDER

Mayor Morris called the meeting to order at 7:05 p.m. and led the flag salute.

2. RECOGNITIONS

- ❖ Present Proclamation to San Dimas High School Band

Mayor Morris announced that the San Dimas High School Band & Color Guard, Wind Ensemble & Jazz Band, Marching Band and Symphonic Bands that have demonstrated their ability to excel in many facets of musical competition winning numerous awards and superior ratings, will perform in Boston from May 30 to June 3, 2007 in the National Festival of the States. Mayor Morris congratulated and presented a Proclamation to Ed Wolfe, who has been an instructor of instrumental music for over 30 years and has been named "Teacher of the Year," "Musical Educator of the Year," and was elected to the Bonita USD Hall of Fame. He said all people in the community who know Mr. Wolfe and have seen the results of his efforts at San Dimas High School and Lone Hill Middle School are duly impressed, and it is a tremendous honor their band was selected. He stated that a few years ago, Lone Hill Middle School was also selected to participate in the National event thanks to the inspiration of Mr. Wolfe.

Ed Wolfe said the band was selected on the basis of ratings the last several years in the state of California by the SCSBOA judges and parade judges of where they have been. He said they will be performing a patriotic concert, with four performances in Boston. He thanked City Attorney Brown for his generous contribution. He said they will be starting their competition next week and invited the community to

come hear their concerts this spring. He is most proud of the kids of San Dimas and feels good that many of his students are going on to become teachers.

In response to Council, Mr. Wolfe said if anyone wishes to donate funds, checks could be sent payable to San Dimas High School Finance Office.

- ❖ Proclaim March 31, 2007 Arbor Day to support efforts to protect our trees and woodlands.

Mayor Morris proclaimed March 31, 2007 as Arbor Day and urged all citizens to support efforts to protect our trees and woodlands, plant trees, and promote the well-being for current and future generations. He presented a proclamation to Parks and Recreation Director Theresa Bruns.

Director Bruns said Arbor Day is celebrated during the month of March, and in February, the City of San Dimas was designated Tree City USA. She said as part of Family Festival celebration, on March 31, 2007 a tree will be planted in the Civic Center Park in commemoration of Arbor Day. She stated a program was also conducted at Shull School with fourth grade students to celebrate Arbor Day and educate them on Arbor Day and trees.

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. Speakers are limited to three (3) minutes.)

a. Members of the Audience

1) According to **Ted Ross**, a couple months ago the Via Verde area suffered a rash of vehicle burglaries and fortunately the individuals were apprehended by the Sheriff's Department. However, he is frustrated that the District Attorney released two individuals with a six year suspended sentence; one individual with a six year suspended sentence plus one year in County Jail; and the fourth individual is yet to be tried. He would like to see the District Attorney take a firmer stance on prosecution and a proactive communication to the public.

Councilmember Bertone said Council could direct the City Manager to have staff investigate and report to the City Council why the District Attorney's office is lenient. He said at Mr. Ross's suggestion, everyone in Via Verde received a letter about the vehicles.

Mayor Morris suggested Mr. Ross write a letter to the District Attorney calling attention to the pending case that the sentence does not equate to the amount of police work that goes into the investigation as well as the losses to the victims.

2) **Ted Powl**, thanked all the candidates who participated in the Candidates Forum to inform citizens of their viewpoints. He congratulated Mayor Morris and Councilmember Ebiner on their re-election and Mr. Badar on his victory. He looks forward to working with the Council to make the City as much fun as it could be.

3) **Ted Powl**, President/CEO, Chamber of Commerce, announced the 2nd annual Toast of the Town would be held on April 5, 2007, in the Plummer Building. He said this is a great opportunity to sample food from local restaurants and enjoy wine, beer, or soft drinks. He encouraged people to pick up tickets for \$25 until April 2, 2007, at the Chamber Office or to call 909/592-3818 before the cost of tickets go up to \$30 or sell out. He thanked sponsors Wild by Nature, More Than A Florist in Via Verde; and San Dimas Wine Shop for helping with wine and beer. He added that this is also a great opportunity for the restaurants.

Mayor Morris stated Mr. Khattar contested portions of Resolution No. 07-17 and requested this item be removed from the Consent Calendar for separate consideration.

Item 4 a (2):

- (2) **RESOLUTION NO. 07-17**, A Resolution of the City Council of the City of San Dimas, California, denying the appeal of DPRB Case No. 06-80-D, requesting a 322 square foot gazebo located partially on a slope at 132 Prairie Drive.

Mr. Nagy Khattar, 132 Prairie Drive, stated that items 2 and 3 in Resolution No. 07-17 were not discussed at the meetings during the approval process. He said the decision was based solely on the Covenants, Conditions, & Restrictions (CC&R) and there were never discussions about design or size of the gazebo.

Mayor Morris stated that the Council upheld the decision of the Development Plan Review Board on the CC&R issue and did not consider hearing the remaining arguments of the neighbors who complained about size.

Director Coleman clarified that items 2 and 3 were part of the written staff report presented to the Planning Commission, DPRB, and the City Council, and constitute a part of the administrative record Council had before them.

Mayor Morris said it is the recommendation of City Attorney Brown that the Resolution be revised and brought back to reflect what the City Council discussed and approved.

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.)

It was moved by Councilmember Bertone, seconded by Councilmember Ebner, 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) **RESOLUTION NO. 07-16**, A Resolution of the City Council of the City of San Dimas approving certain demands for the month of March, 2006.
- b. Rejection of claim for damages from Bart and Cynthia Roybal.
- c. Rejection of claim for damages from Maturo Development.
- d. Rejection of claim for damages from Daniel R. Dominguez.
- e. Rejection of claim for damages from Simerjit K. Grewaz.
- f. Rejection of claim for damages from James John Coppack.

END OF CONSENT CALENDAR

5. PUBLIC HEARINGS

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

- a. Tentative Parcel Map 06-04 (061022) – Request to subdivide the property located at the southeast corner of Gladstone Street and Lone Hill Avenue into eight (8) lots for the construction of a commercial center consisting of a 154,600± sq. ft. Costco warehouse/retail facility with a tire center and gasoline service station and 71500± square feet of additional commercial uses including restaurants and retail shops/stores. (*Continued from February 27, 2007.*)

RESOLUTION NO. 07-10, A RESOLUTION OF THE SAN DIMAS CITY COUNCIL APPROVING TENTATIVE PARCEL MAP 06-04 (061022), A REQUEST TO SUBDIVIDE THE PROPERTY LOCATED AT THE SOUTHEAST CORNER OF GLADSTONE STREET AND LONE HILL AVENUE INTO EIGHT (8) LOTS FOR THE CONSTRUCTION OF A COMMERCIAL CENTER CONSISTING OF A 154,600± SQUARE FOOT COSTCO WAREHOUSE/RETAIL FACILITY WITH A TIRE CENTER AND GASOLINE SERVICE STATION AND 71,500± SQUARE FEET OF ADDITIONAL COMMERCIAL USES INCLUDING RESTAURANTS AND RETAIL SHOPS/STORES.

City Manager Michaelis reported that there are three public hearing items for consideration and said staff would explain each of the items and answer questions for Council's consideration and action.

Assistant City Manager Stevens reported that the proposed parcel map is intended to create seven lots associated with the Costco project and its future pad development, and one parcel which is being reconfigured to accommodate the existing parking lot for the building in the adjacent business park to the south. The proposed map meets all the requirements of Specific Plan No. 24, the City Subdivision Ordinance and the State Subdivision Map Act. Planning Commission and staff recommend approval of Resolution No. 07-10 approving Tentative Parcel Map 06-04.

In response to Councilmember Ebner, Mr. Stevens replied that there is shared parking throughout the project.

- b. Vacation of that portion of Fifth Street extending east from Lone Hill Avenue to its terminus at the railroad right-of-way adjacent to the 57 Freeway and vacating appurtenant slope easements on the east side of Lone Hill Avenue north of Fifth Street. (*Continued from February 27, 2007.*)

RESOLUTION NO. 07-11, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN DIMAS COUNTY OF LOS ANGELES, STATE OF CALIFORNIA VACATING THAT PORTION OF FIFTH STREET EXTENDING EAST FROM LONE HILL AVENUE TO ITS TERMINUS AT THE RAILROAD RIGHT-OF-WAY ADJACENT TO THE 57 FREEWAY AND VACATING APPURTENANT SLOPE EASEMENTS ON THE EAST SIDE OF LONE HILL AVENUE NORTH OF FIFTH STREET

Assistant City Manager Stevens reported that the proposed comprehensive redevelopment of the properties for the Costco project make Fifth Street and the appurtenant slope easements no longer necessary for access or utilities once assembly of all the properties within the project is completed. Vacation of Fifth Street is consistent with the San Dimas General Plan and with Specific Plan No. 24. The DDA for the project intends for the vacation of Fifth Street and the slope easements. Staff recommends approval of the vacation of Fifth Street based upon findings/conditions set forth in Resolution 07-11.

Mayor Morris opened the public hearing on the two (2) items and asked if anyone wished to speak in favor of, or in opposition to the tentative Parcel Map or the vacation of Fifth Street and appurtenant slope easements. There being no one wishing to speak, the public hearing was closed.

Mayor Pro Tem Templeman assured residents that this portion of Fifth Street that deadends into the freeway is of poor quality and would have no impact on the neighborhoods of Fifth Street.

After the title was read, it was moved by Mayor Pro Tem Templeman, seconded by Councilmember Ebner, to waive further reading and adopt **RESOLUTION NO. 07-10**, A RESOLUTION OF THE SAN DIMAS CITY COUNCIL APPROVING TENTATIVE PARCEL MAP 06-04 (061022), A REQUEST TO SUBDIVIDE THE PROPERTY LOCATED AT THE SOUTHEAST CORNER OF GLADSTONE STREET AND LONE HILL AVENUE INTO EIGHT (8) LOTS FOR THE CONSTRUCTION OF A COMMERCIAL CENTER CONSISTING OF A 154,600± SQUARE FOOT COSTCO WAREHOUSE/RETAIL FACILITY WITH A TIRE CENTER AND GASOLINE SERVICE STATION AND 71,500± SQUARE FEET OF ADDITIONAL COMMERCIAL USES INCLUDING RESTAURANTS AND RETAIL SHOPS/STORES. The motion carried unanimously by those present; Councilmember McHenry was absent.

After the title was read, it was moved by Councilmember Bertone, seconded by Mayor Pro Tem Templeman, to waive further reading and adopt **RESOLUTION NO. 07-11**, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN DIMAS COUNTY OF LOS ANGELES, STATE OF CALIFORNIA VACATING THAT PORTION OF FIFTH STREET EXTENDING EAST FROM LONE HILL AVENUE TO ITS TERMINUS AT THE RAILROAD RIGHT-OF-WAY ADJACENT TO THE 57 FREEWAY AND VACATING APPURTENANT SLOPE EASEMENTS ON THE EAST SIDE OF LONE HILL AVENUE NORTH OF FIFTH STREET. The motion carried unanimously by those present; Councilmember McHenry was absent.

Mayor Morris called to order at 7:56 p.m. a Joint public hearing of the San Dimas City Council and San Dimas Redevelopment Agency Board of Directors.

- c. Joint Public Hearing of the City Council and San Dimas Redevelopment Agency to consider a proposed Amended and Restated Disposition and Development Agreement (DDA) between the San Dimas Redevelopment Agency and Costco Wholesale for property located at the southeast corner of Lone Hill Avenue and Gladstone Street. (*Continued from February 27, 2007.*)

RESOLUTION NO. 07-12, A RESOLUTION OF THE SAN DIMAS CITY COUNCIL PURSUANT TO THE PROVISIONS OF CALIFORNIA HEALTH AND SAFETY CODE SECTION 33433 APPROVING A PROPOSED AMENDED AND RESTATED DISPOSITION AND DEVELOPMENT AGREEMENT BY AND BETWEEN THE SAN DIMAS REDEVELOPMENT AGENCY AND COSTCO WHOLESALE, A WASHINGTON CORPORATION.

RESOLUTION NO. 185, A RESOLUTION OF THE SAN DIMAS REDEVELOPMENT AGENCY APPROVING AND AUTHORIZING THE EXECUTION OF AN AMENDED AND RESTATED DISPOSITION AND DEVELOPMENT AGREEMENT WITH COSTCO WHOLESALE CORPORATION, A WASHINGTON CORPORATION.

City Manager Michaelis presented a request to consider a proposed Amended and Restated Disposition and Development Agreement (DDA) between the San Dimas Redevelopment Agency and Costco Wholesale for property located at the southeast corner of Lone Hill and Gladstone Avenue. He stated that the DDA requires the Agency to acquire and convey the 22 ± acres to Costco to develop the retail center, which are nearly completed. He outlined minor changes to the DDA, and recommended adoption of City Council Resolution No. 07-12 and San Dimas Redevelopment Agency Resolution No. 185. Staff also recommended the City Council authorize Executive Director and Agency Attorney to make any necessary revisions to the final documents.

At the request of Councilmember Ebner, City Manager Michaelis explained the present value of the sales tax formula over the fifteen year time period.

Mayor/Chairman Morris opened the joint public hearing of the City Council and San Dimas Redevelopment Agency and asked if anyone wished to speak in favor or in opposition to the proposed Amended and Restated disposition and Development Agreement. There being no one wishing to speak, the public hearing was closed.

After the title was read, it was moved by Councilmember Ebner, seconded by Mayor Pro Tem Templeman, to waive further reading and adopt **RESOLUTION NO. 07-12**, A RESOLUTION OF THE SAN DIMAS CITY COUNCIL PURSUANT TO THE PROVISIONS OF CALIFORNIA HEALTH AND SAFETY CODE SECTION 33433 APPROVING A PROPOSED AMENDED AND RESTATED DISPOSITION AND DEVELOPMENT AGREEMENT BY AND BETWEEN THE SAN DIMAS REDEVELOPMENT AGENCY AND COSTCO WHOLESALE, A WASHINGTON CORPORATION. The motion carried by those present; Councilmember McHenry was absent.

City Manager introduced Steve McArthur and Peter Clement, representing Costco, and inquired about the time table for opening the store.

Steve McArthur, representing Costco, 500 North State College, Orange, thanked staff and Council for approving the project and stated that escrow is anticipate to close in April, and construction would start shortly thereafter, with the grand opening of the store in November, 2007.

After the title was read, it was moved by Mr. Bertone, seconded by Mr. Templeman, to waive further reading and adopt **RESOLUTION NO. 185**, A RESOLUTION OF THE SAN DIMAS REDEVELOPMENT AGENCY APPROVING AND AUTHORIZING THE EXECUTION OF AN AMENDED AND RESTATED DISPOSITION AND DEVELOPMENT AGREEMENT WITH COSTCO WHOLESALE CORPORATION, A WASHINGTON CORPORATION. The motion carried by those present; Mr. McHenry was absent.

Mayor/Chairman Morris adjourned the joint meeting at 8:14 p.m. and reconvened the regular City Council meeting.

- d. Consideration of Tentative Parcel Map 05-02 (26891), a request to subdivide one (1) 145,090 sq. ft. parcel into two (2) parcels; Lot 1 is 65,165 sq. ft.; Lot 2 is 79,925 sq. ft., located at 606 South Walnut Avenue, submitted by Agop Kanjian. Staff is recommending Adoption of Negative Declaration. (APN 8382-011-048).

RESOLUTION NO. 07-18, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN DIMAS, CALIFORNIA, APPROVING TENTATIVE PARCEL MAP 06-02 (26891) A REQUEST TO SUBDIVIDE ONE (1) 145,090 SQ. FT. PARCEL INTO TWO (2) PARCELS; LOT 1 IS 65,165 SQ. FT., LOT IS 79.925 SQ. FT., LOCATED AT 606 SOUTH WALNUT AVENUE.

Director of Development Services Coleman reported that the proposed Tentative Parcel Map was approved in 1992; however, a final Map was never recorded, and subsequently the approval expired. The property owners are now requesting approval of the same map. Mr. Coleman presented the staff report to subdivide an existing 3.33 acre parcel into two lots. He indicated that Lot 1 would gain access from De Anza Heights Drive and Lot 2 would gain access from the established historical driveway on South Walnut Avenue. He reported that an existing Monterrey Revival House is listed on the City's Historic Resources Survey that utilizes the historical driveway. Staff and the Planning Commission recommend approval of the Tentative Parcel Map 05-02 (26891) and the Negative Declaration.

Mayor Morris opened the public hearing and asked if anyone wished to speak in favor of adopting the Resolution approving the Tentative Parcel Map.

Paul Stroshein, 136 W. Sixth Street, stated he owns the lot adjacent to this parcel change and expressed concern that the proposed driveway would encroach into his 20 foot easement for ingress/egress.

In response to Councilmember Ebner, Director Coleman replied that the proposed parcel map does not alter the easement in any way. He said the conceptual development plan illustrated requires future application, and shows a separate driveway accessing into De Anza Heights Drive to the west of Mr. Stroshein's 20 foot easement.

Mayor Morris asked if anyone else wished to speak in favor of, or in opposition to the subdivision of proposed Tentative Parcel Map. There being no one else wishing to speak, the public hearing was closed.

In response to Councilmember Bertone, Director Coleman replied that Mr. Strosheim's concern has been resolved.

It was moved by Councilmember Bertone, seconded by Councilmember Ebner, to waive further reading and adopt **RESOLUTION NO. 07-18**, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN DIMAS, CALIFORNIA, APPROVING TENTATIVE PARCEL MAP 06-02 (26891) A REQUEST TO SUBDIVIDE ONE (1) 145,090 SQ. FT. PARCEL INTO TWO (2) PARCELS; LOT 1 IS 65,165 SQ. FT., LOT IS 79.925 SQ. FT., LOCATED AT 606 SOUTH WALNUT AVENUE. The motion carried 4.1; Councilmember McHenry was absent.

Councilmember Ebner left the dais at 8:33 p.m.

6. COMMUNITY DEVELOPMENT/PLANNING

- a. Appeal of condition number 14 of DPRB Case No. 06-87 -A request to construct an 884 sq. ft. detached garage located at 325 West Third Street in the single family Downtown Residential Zone. APN: 8386-013-078.

After conferring with City Attorney Brown, Mayor Morris stated he owns an interest in property within the area and turned the hearing over to Mayor Pro Tem Templeman. Mayor Morris left the dais at 8:34 p.m.

Councilmember Ebner returned to the dais at 8:35 p.m.

Director of Development Services Coleman summarized DPRB Case No. 06-87, a request by Scott Sax, which was approved by the Development Plan Review Board on January 25, 2007. The applicant is appealing DPRB condition number 14 and requesting a ten-foot rear yard setback. He said condition No. 14 requires the detached garage to be sited either three feet or 20 feet from the rear property line. Staff recommends that the City Council uphold the decision of the DRPB and deny the appeal.

Director Coleman responded to Councilmember Ebner that staff suggested moving back the garage to a 0-foot setback and discussed the possibility of rotating the garage so the door would not access off the alley way; however, that was not pursued because of how much of the rear yard it would consume.

Mayor Pro Tem Templeman opened the hearing of DPRB Case No. 06-87 and asked if the applicant wished to speak.

Scott Sax, 325 West Third Street, explained he is requesting a ten-foot rear yard setback to allow sufficient space to park his trailer and allow for turning radius without damaging his truck. He provided photographs of garages in the neighborhood that built garages between six-to-fourteen feet from the alley and are experiencing difficulty turning their vehicles.

Director Coleman stated that the unwritten policy of the city is not consistently enforced and reinforces the need for a code amendment.

Mayor Pro Tem Templeman stated that looking at the totality of the project, he did not feel a ten foot setback would cause a problem and would only make the project better.

Director Coleman replied to Council's questions related to parking in the alley; advantages and disadvantages of three-foot setback; and use of the rear yard.

It was moved by Councilmember Bertone to grant the appeal and permit a ten-foot setback.

Councilmember Ebiner seconded the motion and commented that at some point policy should be memorialized. He said new garages have been built at different depths from the alley, but he did not feel ten feet was a good idea because residents would use the setback for parallel parking, and Council should make a conscious decision that is what Council wants people to do or not do.

The motion carried by those present; Councilmember McHenry was absent.

7. OTHER MATTERS

- a. San Dimas Avenue Traffic and Engineering Studies between Via Verde and Puddingstone Drive and other Equestrian Trail areas:
 - Removal of existing equestrian trail fencing and installation of vinyl fencing on east side of San Dimas Avenue and San Dimas Canyon Road;
 - Appropriation of \$205,000 from the General Fund for the removal of installation of an equestrian fence, and implementation of traffic mitigation measures;
 - Waiver of formal bid process for the purchase of vinyl fence, traffic mitigation equipment and retaining contractors for completion of improvements.

Public Works Director Patel reported that on September 26, 2006, the City Council approved funds to implement recommendations by the Traffic Safety Committee to remove existing fencing along San Dimas Avenue between Via Verde and SR-57 over-crossing. He stated that the Council also authorized the completion of traffic and engineering study to evaluate other equestrian trail areas in the city that are separated by wooden rails and post fencing. Mr. Patel summarized the analysis and recommendations of the Traffic Engineer and RKA Consulting Group. Staff recommended approval of Traffic Safety Committee recommendations, and to place on hold the reinstalling of vinyl fencing and opening up the equestrian trail along San Dimas Avenue to allow time to County Parks and City staff to jointly assess alternate equestrian routes linking the County's regional trail systems between Bonelli Park and Antonovich Trail; appropriation of an additional \$205,000 from the general fund to complete the above-mentioned Traffic Safety Committee recommendations, as well as removal and installation of fencing on San Dimas Avenue and San Dimas Canyon Road; waiver of formal bid process to purchase traffic equipment and retain contractors to implement traffic mitigation measures, removal and installation of fencing along San Dimas Avenue and San Dimas Canyon Road.

In response to Mayor Morris, Director Patel replied that fencing in front of San Dimas Canyon Regional Park between Sycamore Canyon Road and Romola Avenue was installed by the County in the City Right-of-Way, and the exception is proposed to allow time to County Parks and City staff to evaluate the fencing since this segment of roadway has no curb or gutter.

Director Patel further responded that direct impact testing has not been conducted; however, the vinyl fence is structurally more suitable based on the weight difference between the wood fence and vinyl

material, and the purpose of the vinyl fencing is to separate equestrian use and vehicular use. He replied that studies concluded that due to potential harm with horses, it is safer to put up the vinyl fence, than to not install the fence. He added that on Allen Avenue, there is separation of horses and traffic by distance and speed.

In response to Mayor Pro Tem Templeman, Traffic Engineer Warren Siecke replied that as traffic volume and equestrian use increase on the trails from Bonelli Park into Antonovich trail, it would probably be necessary to signalize the crossing.

Councilmember Ebner inquired if some kind of equestrian access to Bonelli Park could be provided from Walnut Creek. Director Patel replied that he plans to consult with County Parks for alternate routes; one option is to use the north side of San Dimas Avenue to directly link the two trails and there may be a lesser need of a trail on southbound San Dimas Avenue.

Councilmember Bertone suggested concluding the study in 60-90 days rather than 120 days.

Mayor Pro Tem Templeman suggested contacting Jay Gomez for assistance in moving forward quickly.

In response to Councilmember Ebner, Mr. Siecke replied that painted medians create an illusion of a narrower street and contribute to reduced speed. He said he would look into increasing the bike lane from five feet to six or seven feet wide.

In response to Mayor Pro Tem Templeman, Mr. Siecke stated that guard rails are not code, but are standards used by CalTrans to determine where guard rails should be placed, based on the theory of comparing a relative danger of hitting a guard rail versus going over the side.

Mayor Morris asked if members of the public wished to comment or had questions about this report.

Dr. Marvin Ersher, 1312 Paseo Alamos, supports equestrians and said the new vinyl posts in the Via Verde area defines a visual style that emphasizes rural nature and should be continued along San Dimas Avenue if they meet safety standards. He inquired why guard rails are not installed next to the vinyl post along San Dimas Avenue as an extra aid in mitigating accidents.

Cyndy Roybal inquired about the timeline for removal of fences along San Dimas Avenue.

Director Patel stated that after approval, crews could start removal within the next few days. He said removal and replacement of fences would be done at the same time and could take between four to six weeks.

In response to Mrs. Roybal, Mayor Morris stated that the portion of San Dimas is not within the City's jurisdiction, but staff would inform the County of all safety considerations studied and hope they come to a similar conclusion.

Mr. Siecke responded to Mrs. Roybal that the rail fence post has a pointed end that may contribute to penetration whereas the vinyl posts are rectangular and the mid point of the rail is void.

It was moved by Councilmember Ebner to proceed with installation of fencing from former equestrian crossing, north under the freeway to the trail that leads to Bonelli Park, to provide some access to the Park; to approve the Traffic Safety Committee recommendations with the exception of reinstalling the vinyl fence and opening up the equestrian trail along San Dimas Avenue; appropriate \$205,000 from the General Fund to complete the Traffic Safety Committee recommendations and removal and installation of fencing on San Dimas Avenue and San Dimas Canyon Road; and waive formal bid process to purchase

traffic equipment and retain contractors to implement traffic mitigation measures, removal and installation of fencing along San Dimas Avenue and San Dimas Canyon Road, not to exceed \$250,000.

The motion was seconded by Mayor Pro Tem Templeman, who requested staff to continue dialog with Supervisor Antonovich's office to alter a trail that works for everyone; and to keep our Equestrian Commission involved.

The motion carried 4.0; Councilmember McHenry was absent.

b. Receive report - adopt Speed Hump Policy for the City of San Dimas.

Public Works Director Patel reported that the City Council discussed a Speed Hump Policy after reviewing a comparison of criteria from neighboring cities. The policy is supported by the Traffic Safety Committee and Public Safety Commission. Staff requests Council's approval by minute action to implement the Speed Hump Policy.

In response to Councilmember Ebner, Director Patel replied that it may be restrictive, but residents are permitted to park on the speed bumps. In addition, Director Patel clarified the appeal process and notification process.

Councilmember Ebner stated he strongly feels that property owners should have veto power if speed humps are slated to be installed in front of their residence.

Mayor Morris stated there are some people opposed to speed humps on Rennell, while others are in support. He said Council is discussing whether or not to adopt the policy tonight. He stated he had suggested a test of vehicles to see if they meet the threshold.

Mayor Pro Tem Templeman suggested using comprehensive language for item 13, on page three.

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

Brian Harmon, 237 No. Rennell, said officers informed him it is illegal for him to post 25 mph Caution Kid Zone signs in his neighborhood. He indicated that all residents on Rennell have signed a petition supporting the speed humps and he does not understand the delay of installation. He mentioned he had called "Ask the Mayor" several times to report speeders and was requested to get license plate numbers; however, while video taping the speeders, the Principal inquired why he was video taping parents dropping off their kids at school. He thought three speed humps were necessary and invited Council to see the retaliation of trying to get compliance. He expressed concern for his grandchildren's safety.

Councilmember Ebner stated that Councilmembers have been down Rennell numerous times and whenever these issues come before the Council, most investigate the claim.

Mark Aproney, said he has lived on Rennell 29 years, and when the new development is completed, Rennell would become a main thoroughfare for traffic. He indicated he witnessed and identified the speeder who caused the skid marks in front of Mr. Harmon's house. He requested Council's assistance with this problem.

Randy Shaeffer, 226 Rennell, said he has lived there seven years and has seen traffic increase. He expressed concern for his son and his neighbor's son who play on the sidewalk, and said if something could be done to get the speeders off the street, it would alleviate traffic somewhat. He requested three speed humps be installed and he did not oppose installation in front of his residence as long as his gate was not blocked.

Councilmember Ebner moved to approve the Speed Hump Policy and authorize implementation, with the addition that installation of a speed hump in front of any home requires the consent of that property owner.

Mayor Pro Tem Templeman suggested traffic calming and stated the Shellman issue needs to be addressed.

The motion was seconded by Councilmember Bertone and carried by those present; Councilmember McHenry was absent.

In response to Councilmember Ebner, Director Patel stated that u-turns are restricted on Southbound Lonehill at Arrow Highway. He will investigate the matter.

8. SAN DIMAS REDEVELOPMENT AGENCY

Mayor Morris recessed the regular meeting at 10:05 p.m. to convene a meeting of the San Dimas Redevelopment Agency Board of Directors. The meeting reconvened at 10:09 p.m.

9. ORAL COMMUNICATIONS

a. Members of the Audience (Speakers are limited to three (3) minutes)

1) In response to **Patrick Jones**, Mayor Morris clarified the three minute time limit for a 30 minute time frame.

2) **Patrick Jones**, 1) commended Council on their handling of the appeal of the garage; 2) stated that the City needs to address the issue of inadequate parking at the school.

Mayor Pro Tem Templeman clarified that the Ad Hoc Committee between the City of San Dimas and Bonita Unified School District is reviewing proposals to increase parking at the school site and install a light; they are addressing the issue at Shellman.

3) **Patrick Jones** inquired if City Attorney Brown had concluded his review of the Sign Ordinance.

City Attorney Brown stated he was in the process of reviewing the Sign Ordinance.

b. City Manager

1) Consider possible date and time for Council/Staff Retreat May 12, 2007, 8:00 a.m. – 3:00 p.m. or weekday schedule.

It was the consensus of the Council to meet on Monday, April 16, 3:00 p.m. to 7:00 p.m., and Saturday, May 12, 8:00 a.m. to 3:00 p.m.

2) Super Service Station Fuel Pumping program for Seniors.

Councilmember Bertone said a lot of great ideas come from the Senior Citizen Commission - the Nutrition Program; telephone for hard of hearing is offered for free; and now they have a new idea to help seniors at service stations. He said the Commissioners want to reach out to as many people as possible.

Parks and Recreation Director Bruns distributed fliers and explained the Super Service Station Gas Pumping Program. She said the program is for San Dimas residents age 55 or older, and seniors who register for the program would receive a plaque listing 7 stations enrolled in the program. Stations have designated individual pumps and at no cost, attendants will pump gas, wash windows, check fluids and tire pressure. She said registration is mandatory and residents could register at the city hall or Senior Citizens Center. She mentioned that to date, 54 seniors have registered with the program.

Councilmember Bertone said he is honored to sit on the Senior Citizen Commission and seniors are pleased with the way Ms. Bruns handles their suggestions and programs.

- 3) Family Festival event to be held on March 31, 2007.

Parks and Recreation Director Bruns invited the community to come enjoy the various activities, great food, entertainment and tree planting at the Family Festival event on Saturday, March 31, 2007, 9:30 a.m. to 3:00 p.m. in the Civic Center.

- 4) Set time for Oath Taking Ceremony for newly elected Council proposed March 20, 2007, 5:30 pm.

a) City Manager Michaelis suggested a change in the time of the meeting on March 20, 2007, to 5:30 p.m. and said reorganization of Council is scheduled for March 27, 2007 and a representative is needed at the March 22, 2007 Development Plan Review Board meeting.

Councilmembers were agreeable to the time change, and Mayor Morris volunteered to represent Council at the DPRB.

b) Assistant City Manager Stevens said the Visa Verde Ranch project currently before the County Regional Planning Commission was heard on December 6, 2006 and was continued to 9:00 a.m. on March 14, 2007. Staff will attend and continue to register opposition to the project as proposed, and suggest they consider approval relative to the EIR and conditions of approval. Mr. Stevens said he would provide an update to Council.

Councilmember Bertone indicated he would be in attendance as well.

c) City Manager Michaelis said the DRPB considered a request to install a fence on the lower part of a slope for a pool installation.

Director Coleman said the DRPB decision was to approve the fence as requested for two reasons: 1) After the City Attorney review of the CC&Rs, the DRPB determined they would allow the fence to encroach on fence areas; 2) Staff found the request consistent with DPRB 1979 policy for fence encroachments on slope areas.

- c. City Attorney

The City Attorney had no report.

- d. Members of the City Council

- 1) Report on Meetings

Members of the City Council did not attend any meetings for this period.

2) Planning Commissioner Appointment

Mayor Morris announced there is a vacancy on the Planning Commission, and the City Clerk was directed to recruit candidates to be interviewed by all Councilmembers.

3) In response to Mayor Pro Tem Templeman, Assistant City Manager Stevens replied that subject to approval of plans, issuance of permits and inspections by the City, Costco's contractors will do the roadwork on Lone Hill as it relates to improvements for residents on the west side of the street.

4) Councilmember Ebner announced the San Dimas Stage Race will be held this weekend at Bonelli Park and Downtown San Dimas, with lots of fun activities for all ages.

5) Councilmember Ebner said the Farmer's Market is slowly making its comeback. He said Director Bruns organized a meeting at 4:00 p.m., on March 14, 2007, in the conference room, with merchants that might be affected by the Farmer's Market and said the meeting is open for anyone who wants to attend.

6) Councilmember Bertone congratulated the City Manager for completing the Costco project.

10. ADJOURNMENT

Mayor Morris adjourned the meeting at 10:30 p.m. The next meeting is Tuesday, March 20, 2007, 5:30 p.m. for Swearing-In Ceremony.

Mayor of the City of San Dimas

ATTEST:

City Clerk