



MINUTES
REGULAR CITY COUNCIL
TUESDAY, MAY 22, 2007, 7:00 P. M.
COUNCIL CHAMBERS, 245 E. BONITA AVE.

PRESENT:

Mayor Curtis W. Morris
Mayor Pro Tem Jeff Templeman
Councilmember Emmett G. Badar
Councilmember Denis Bertone
Councilmember John Ebner

City Manager Michaelis
City Attorney Brown
City Clerk Rios
Assistant City Manager of Development Services Stevens
Assistant City Manager Duran
Director of Development Services Coleman
Director of Public Works Patel
Director of Parks and Recreation Bruns
Planning Manager Hensley
Senior Engineer Garwick

1. CALL TO ORDER AND FLAG SALUTE

Mayor Morris called the meeting to order at 7:05 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. Speakers are limited to three minutes for a 30 minute time period.)

a. Members of the Audience

1) **Galen Gillotte**, Children's Librarian, San Dimas Library, announced the upcoming events at the Library and said fliers and calendars are available at the Library.

Mayor Morris said citizens could check the City's website and link to the Library for the schedule.

2) **Ted Powl**, President/CEO, Chamber of Commerce, announced the upcoming Installation/Awards Dinner, on June 14, 2007 to recognize businesses and install new Board of Directors headed by Rhonda Beltran, from McKinley Children's Center. Reservations could be made by calling the Chamber at 909/592-3818.

3) **Ted Powl** announced the Annual Summer Golf Tournament on Monday, June 18, 2007, in conjunction with La Verne Chamber, at Sierra La Verne Country Club. Come out, have a great time, enjoy fellowship with other golfers. Sign up through the Chamber.

4) **Sandie Allan**, 265 W. Foothill Blvd., member of Relay for Life, also Team Captain and cancer survivor. She invited everyone to the Relay for Life 24 hour walk on Saturday, June 2, 2007 from 9:00 a.m. until 9:00 a.m., Sunday, June 3. She said there would be food, refreshments, entertainment, dignitaries, surprise guest, and lots of information about cancer. A five-year cancer fighter, Ms. Allen said the American Cancer Society is conducting research all the time, has come up with new medical treatments, and a cure for certain types of cancer. She thanked everyone for all the support and hopes to see everyone at Horsethief Canyon, off San Dimas Canyon Road. She provided the website: relay4lifelandimas@yahoo.com or 909/394-6290 if anyone needs additional information.

4) **Dr. John Choma**, Edinborough, requested the building project at tract 52717 be halted until Los Angeles County Fire Department approvals have been granted, appropriately documented, and discussed.

5) **Steve Kaufman** suggested an additional category for community announcements rather than including them in the three-minute limit.

6) **Gary Enderle** said the Council needs to address third party investigations at a future meeting.

7) **Gary Enderle** said he attended the Planning Commission interviews, and left early because he was not aware a decision would be made that night.

8) **Patrick Jones** would like to know that the discussion about the sign ordinance is moving forward.

9) **Patrick Jones** said he was unable to attend the Planning Commission interviews and expressed his dissatisfaction that the appointment was not listed on the agenda and the Council took action that night. He said the item should be placed on the agenda for consideration at the next meeting.

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 or member of the audience requests separate discussion.)

At the request of Councilmember Bertone, City Manager Michaelis reported that California Integrated Waste Management encourages cities to apply for grants to recycle waste tires for asphalt. He said the City is eligible to receive up to \$150,000 and has additional funds from other programs.

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

a. Resolutions read by title, further reading waived, passage and adoption recommended as follows:

(1) **RESOLUTION NO. 07-34**, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN DIMAS APPROVING CERTAIN DEMANDS FOR THE MONTH OF MAY, 2007.

(2) Resolution authorizing the filing of an application for a California Integrated Waste Management Board targeted Rubberized Asphalt Concrete Incentive Grant.

RESOLUTION NO. 07-39, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN DIMAS, CALIFORNIA AUTHORIZING THE SUBMITTAL OF A GRANT APPLICATION TO THE CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD FOR THE TARGETED RUBBERIZED ASPHALT CONCRETE INCENTIVE GRANT.

b. Approval of minutes for regular meeting of March 13, 2007.

END OF CONSENT CALENDAR

4. PUBLIC HEARINGS

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

a. 2007-08 Annual City Budget

1) Presentation of preliminary budget highlights

City Manager Michaelis presented a narrative and summary of the 2007-08 budget proposals and highlights, including an estimate of anticipated revenues and expenditures. He stated that a budget summary is available in Administration for anyone who is interested.

2) Question and Answer Period/General Discussion

Mayor Morris opened the public hearing and invited questions or comments on the proposed 2007-08 budget.

1) In response to **Steve Kaufman**, Senior Engineer Garwick stated the budget for street improvements is approximately \$5 million and \$2.8 million is allocated to the Foothill Blvd. project. She added that there are emergency funds for asphalt repairs, slurry seal for next year, and streets are specifically listed.

City Manager Michaelis stated that most cities spend gas tax funds for street projects and the City of San Dimas sets aside 10% of sales tax revenue to fund street programs.

2) **Patrick Jones** stated that the Martin House is in need of a roof and is not identified in the budget.

City Manager Michaelis reported that all city facilities are combined and he would be happy to review the budget with Mr. Jones.

3) City Manager Michaelis responded to **Gary Enderle** that the horsetrail fencing has enough funding in the current budget; \$30,000 has been budgeted for speed hump installations; and construction and related expenditures for the Walker House have been budgeted in different fiscal years. Staff could add both numbers for total expenditures.

In response to Mayor Pro Tem Templeman, Planning Manager Hensley replied that change orders are public documents.

4) In response to **Steve Kaufman**, Assistant City Manager Duran replied that the contract for tree maintenance this fiscal year is \$150,000.

City Manager Michaelis replied to Mr. Kaufman that the City has a four-year tree trimming cycle.

There being no one else wishing to speak, Mayor Morris closed the public hearing and said the budget would be adopted on June 12, 2007.

Mayor Pro Tem Templeman requested an analysis on the Martin House roof.

3) Other Items of Community Interest.

There were no other comments.

- b. Setting the Special City-wide parcel tax for Fiscal Year 2007-2008.

RESOLUTION NO. 07-35, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN DIMAS, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, SETTING THE SPECIAL CITYWIDE PARCEL TAX FOR FISCAL YEAR 2007-2008 TO BE USED FOR LANDSCAPE MAINTENANCE PURPOSES.

Assistant City Manager Duran reported that in November 1997, voters approved Ordinance No. 1086 adopting a special parcel tax to be levied against properties in San Dimas and included an annual adjustment to reflect changes in the Consumer Price Index. Staff recommended adoption of Resolution No. 07-35.

Mayor Morris opened the public hearing and asked if anyone wished to speak regarding the citywide parcel tax approved by the voters in 1997. There being no one wishing to speak, the public hearing was closed.

After the title was read, it was moved by Councilmember Bertone, seconded by Councilmember Ebiner, to approve Option 2 increasing the special parcel tax by 3.5% CPI by waiving further reading and adopting **RESOLUTION NO. 07-35**, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN DIMAS, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, SETTING THE SPECIAL CITYWIDE PARCEL TAX FOR FISCAL YEAR 2007-2008 TO BE USED FOR LANDSCAPE MAINTENANCE PURPOSES. The motion carried unanimously.

- c. Consider Increase of Business License Fees.

RESOLUTION NO. 07-36, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN DIMAS, COUNTY OF LOS ANGELES, SETTING THE BUSINESS LICENSE FEES RATES FOR FISCAL YEAR 2007-08.

Assistant City Manager Duran reported that Ordinance No. 956 established fees for business licenses and allowed built-in automatic increases through 1993; as well as annual increases based on the Consumer Price Index beginning in 1994. Staff recommended adoption of Resolution No. 07-36, Option two, setting the business license fee rates for fiscal year 2007-08 with the 3.8% CPI increase.

Mayor Morris opened the public hearing and invited members of the audience to speak on this increase.

1) In response to **Gary Enderle**, Assistant City Manager Duran replied that costs go up in the business license program and \$13,000 does not cover personal expenses.

2) Unidentified Speaker expressed concerns with transients going door to door and inquired if there was a way to keep them out of the city. He said the Sheriff's Department pulled over the solicitor and that person did not have a business license.

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

After the title was read, it was moved by Councilmember Bertone, seconded by Councilmember Ebiner, to approve Option 2 increasing the rate to reflect the change of the CPI of 3.8% by waiving further reading and adopting **RESOLUTION NO. 07-36**, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN DIMAS, COUNTY OF LOS ANGELES, SETTING THE BUSINESS LICENSE FEES RATES FOR FISCAL YEAR 2007-08. The motion carried unanimously.

Mayor Pro Tem Templeman recommended staff be proactive to vendors standing on freeway off ramps.

- d. Precise Plan 06-01 and Tentative Tract Map 06-03 (68103), a request by Aaron Brown of Aaron Anthony, Incorporated to construct a new 6,634 sq. ft. office building and an office condominium tract map on a 36,890 sq. ft. lot, in the Commercial Highway Zone and Scenic Highway Overlay Zone at the southwest corner of Foothill Blvd. and Dixie Drive, APN 8661-017-030 and 8661-017-031. The project qualifies as a Class 32 exemption under State CEQA Guidelines Section 15332 Infill Development.

RESOLUTION NO. 07-37, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN DIMAS, APPROVING PRECISE PLAN REVIEW 06-01, A REQUEST TO CONSTRUCT A 6,634 SQ. FT. TWO STORY OFFICE BUILDING AT THE CORNER OF FOOTHILL BOULEVARD AND DIXIE DRIVE (APN 8661-017-030 AND 8661-017-031)

RESOLUTION NO. 07-38, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN DIMAS, APPROVING TENTATIVE TRACT MAP 06-03, 9ttm 68103), A REQUEST TO SUBDIVIDE A 6,634 SQUARE FOOT OFFICE BUILDING INTO EIGHT NON-RESIDENTIAL CONDOMINIUMS ON THE PROPERTY LOCATED AT THE SOUTHWEST CORNER OF FOOTHILL BOULEVARD AND DIXIE DRIVE (APN 8661-017-030 AND 8661-017-031)

Planning Manager Hensley summarized the staff report regarding Plan Case No. 06-01 and Tentative Tract Map 06-03. He said the Development Plan Review Board and Planning Commission have reviewed this case and recommended approval contingent upon the preservation of the existing oak tree and planting of a new 48-inch box size oak tree at the northeast corner of the site, as well as trees and shrubs on the northwest property line. Staff recommended adoption of Resolution No. 07-37 and Resolution No. 07-38 and said applicant Aaron Brown is present.

At the request of Councilmember Ebner, Manager Hensley explained that the development consists of one single building with eight separate interior ownerships and common ownership of the exterior portion of the building, all parking, and the Property Homeowners Association would maintain the entire property and landscaping. He responded to questions concerning the pruning of tree limbs by Fred Roth and said Phil May, the architect for the project prepared the landscape plan for the city hall parking lot and is very knowledgeable about oak trees and native plants.

Mayor Morris opened the public hearing and invited the applicant to speak.

Alan Smith of Southwest Design, representing Mr. Brown, who is present, thanked staff for their guidance and hard work. He said he was challenged with the obstacles and easements and is happy with the product.

Mayor Morris asked if anyone wished to speak in favor of the project or in opposition to the project.

Gene Hana, 1136 Cherokee Court, said he has no problem with the development but felt two-stories sounded absurd.

Mr. Smith responded to Mr. Hana that the rear portion of the building is a one-story power room, and the second story does not start until ten feet (10') away from the property line.

Mr. Smith responded to Council that he modified the landscaping plan to plant trees along the north side, down the driveway and add more landscaping. He replied that instead of putting concrete curves, pavers on sand would be added to percolate the water and he would do what is necessary to keep the trees healthy. He indicated that trimming is on the backside and is not visible from Foothill/Route 66. He

added he is required to have onsite mitigation of rain water and would comply with state requirements, and said it would be monitored by Engineering Dept.

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

After the title was read, it was moved by Councilmember Badar, seconded by Councilmember Bertone, to waive further reading and adopt **RESOLUTION NO. 07-37**, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN DIMAS, APPROVING PRECISE PLAN REVIEW 06-01, A REQUEST TO CONSTRUCT A 6,634 SQ. FT. TWO STORY OFFICE BUILDING AT THE CORNER OF FOOTHILL BOULEVARD AND DIXIE DRIVE (APN 8661-017-030 AND 8661-017-031). The motion carried unanimously.

After the title was read, it was moved by Councilmember Bertone, seconded by Councilmember Badar, to waive further reading and adopt **RESOLUTION NO. 07-38**, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN DIMAS, APPROVING TENTATIVE TRACT MAP 06-03, 9ttm 68103), A REQUEST TO SUBDIVIDE A 6,634 SQUARE FOOT OFFICE BUILDING INTO EIGHT NON-RESIDENTIAL CONDOMINIUMS ON THE PROPERTY LOCATED AT THE SOUTHWEST CORNER OF FOOTHILL BOULEVARD AND DIXIE DRIVE (APN 8661-017-030 AND 8661-017-031). The motion carried unanimously.

5. OTHER MATTERS

- a. Request for fare adjustment of San Dimas Dial-A-Cab fees to lower fares to align with Get About.

Assistant City Manager Duran presented a request from George Sparks, Pomona Valley Transportation Authority Administrator for an adjustment to Dial-A-Cab fare to align it with the lower fare for Get About.

Mayor Morris invited Mr. Sparks to speak.

In response to Council, **George Sparks**, Pomona Valley Transportation Authority Administrator, addressed the time issue, and said the primary reason for the recommendation was to solidify consistency of on-time. He added that he is looking forward to installing GPS in all cabs to help address tardiness.

Mayor Morris invited comments from the audience and no one came forward to speak.

It was moved by Mayor Pro Tem Templeman, seconded by Councilmember Ebiner, to approve the proposed fare adjustment effective July 1, 2007 and request that the PVTA Administrator evaluate the impact of the change within six to nine months and report back to the Council. The motion carried unanimously.

6. SAN DIMAS REDEVELOPMENT AGENCY

Mayor Morris recessed the regular meeting at 8:48 p.m. and convened a meeting of the San Dimas Redevelopment Agency Board of Directors. The regular meeting reconvened at 9:02 p.m.

7. ORAL COMMUNICATIONS

- a. Members of the Audience (Speakers are limited to five minutes)

No one came forward

b. City Manager

1) Update on Costco

City Manager Michaelis provided a brief update on Costco. He indicated that all properties have been acquired and Costco is working on initial permits for remediation before demolition and rough grading of the site. Mr. Michaelis said the properties will be sold to Costco when the two permits are secured, and he added that Costco is looking for a December 1, 2007 opening of the store.

c. City Attorney

The City Attorney had no comments.

d. Members of the City Council

1) Councilmembers' report on meetings attended at the expense of the local agency.

Mayor Pro Tem Templeman reported that the Mayor and Councilmembers attended the California Contract Cities Association's annual conference in Indian Wells on May 17-19, 2007. He indicated they went through a variety of mini classes and one he attended concerned the high liability for posting inappropriate street signage. A second item of importance was Regional Inter-Operative Ability Communication System, a five year plan to bring an emergency radio system to County of Los Angeles Public Safety entities and to other local entities that have a radio system but are unable to communicate with the County. A third item he thought could be helpful was tracking of code enforcement issues.

Councilmember Bertone attended two interesting meetings: 1) Alternate Fuel for Vehicles and 2) the new Forensic Lab being built at CalState LA, between Sheriff's Department and Los Angeles Police Department.

Councilmember Ebner attended a session that discussed housing on difficult lots. He said one speaker was Larry Cosmont, the Principal in a firm interested in the San Dimas Canyon Shopping Center, who used his ideas of that center for what he thought was a good idea for infill housing and affordability.

Councilmember Badar said the Forensic Lab is a joint operation between LAPD, LASO, and other agencies within the County region and the state-of-the-art equipment will launch light years ahead all criminal investigations.

Mayor Morris attended a session entitled the Latest Scam by MTA to Get More Money, by funding fees for congestion management. He said there were a lot of sessions and vendors with interesting ideas.

Mayor Pro Tem Templeman said networking is also important and said he introduced Councilmember Badar to David Singer, County Public Works; representatives of Shaeffer Ambulance, the company that provides services in San Dimas; and Mayor Norma Torres, City of Pomona.

2) Appointment to the Parks and Recreation Commission.

It was moved by Councilmember Ebner, seconded by Councilmember Bertone, to reappoint Adam Phipps to a two-year term on the Parks and Recreation Commission. The motion carried unanimously.

3) Mayor Pro Tem Templeman requested a formal report within 30 days concerning the Fire Department's plans for the Trauma Helicopter. He heard that the planned relocation to City of Industry is no longer possible; however, he believes they are still planning to move.

4) Councilmember Badar inquired about the age considered a senior citizen since San Dimas Dial-A-Ride requires senior disabled riders to provide their age.

5) Councilmember Bertone requested a report since two different individuals have reported that the Fire Department has not signed off on the development at Valley Center, Walnut Creek.

6) Councilmember Ebner suggested that five minutes for public comments at the start might be more reasonable.

The majority of Council felt three minutes was reasonable and indicated that over 90% of public members agree. Members stated they all agreed to stay as late as necessary to listen to speakers at the second oral communications.

7) Assistant City Manager Duran reported that \$105,700 is budgeted under Civic Center improvements, and he believes \$60,000 has been allocated toward a new roof for the Martin House.

8. ADJOURNMENT

Mayor Morris adjourned the meeting at 9:22 p.m. The next meeting is June 12, 2007, 7:00 p.m.

Curtis W. Morris, Mayor of the City of San Dimas

ATTEST:

Ina Rios CMC, City Clerk