



MINUTES
REGULAR CITY COUNCIL
TUESDAY, MARCH 11, 2008, 7:00 P. M.
COUNCIL CHAMBERS, 245 E. BONITA AVE.

CITY COUNCIL:

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

City Manager Blaine Michaelis
City Attorney J. Kenneth Brown
City Clerk Ina Rios
Assistant City Manager of
Community Development Larry Stevens
Assistant City Manager Ken Duran
Director of Development Services Dan Coleman
Director of Public Works Krishna Patel
Facilities Manager Karon DeLeon
Planning Manager Craig Hensley
Senior Engineer Shari Garwick
Recreation Services Manager Leon Raya

1. CALL TO ORDER AND FLAG SALUTE

Mayor Morris introduced Student Mayor Monterastelli, who called the meeting to order at 7:04 p.m. and led the flag salute.

2. RECOGNITIONS

- Present Proclamation to Debby Yasher, Librarian, San Dimas Library

Mayor Morris presented to Debby Yasher a proclamation to recognize her career as a Librarian and her service in San Dimas. He congratulated her and wished her the best in her retirement.

Debby Yasher, Librarian, San Dimas Library, thanked the City Council for the recognition. She said working with the City was a joy and she will treasure the recognition.

- Proclaim January - March 2008 "Girl Scout Cookie Campaign Months."

Mayor Morris said the Girl Scouts were unable to attend the meeting to accept the proclamation declaring January-March, 2008 as Girl Scout Cookie Campaigning Months.

- Announce 19th Annual Family Festival and Egg Hunt event to be held on March 15, 2008

Mayor Morris announced that the San Dimas Family Festival is scheduled on March 15, 2008 at the Civic Center Park.

Recreation Services Manager Leon Raya outlined a variety of exciting activities to be held from 9:30 a.m. to 3:00 p.m. at the Festival. He reminded everyone to be on time for the Spring Egg Hunts at 10:00 a.m. sharp on Saturday, March 15, at Civic Center Park and Via Verde Park.

Students in Government Day in attendance introduced themselves: Tristian Monterastelli; Nicole Burgess, Lisa Hardy, Jenee Brys, Alisha Leos, Katy Carlton, Stephanie Jacobacci, Anthony Tortorelli, Liz Aparicio, Mai Bushara, Treasure Vanegas, Michelle Cram, Samantha Smith, Alex Grigolla, Frank Gonzales, Yvette Moya and Amber Chilcote.

Mayor Morris thanked the students for attending the meeting and said they would be working with their counterparts on Wednesday, and he hoped it would be a worthwhile and rewarding experience for everyone.

3. PRESENTATIONS

- Galen Gillotte, Children's Librarian, San Dimas Library

Barbara Nightingale, Teen and Adult Librarian, San Dimas Library announced the programs and activities for March, 2008 and invited the public to attend. She mentioned that the L. A. County Library System is changing the computer catalog system and the meeting room used for various programs would be utilized by the County for training during the months of April and May. The summer reading programs continue in July, 2008.

4. ORAL COMMUNICATIONS (Members of the audience are invited to address the City Council on any 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. However, your concerns may be referred to staff or set for discussion at a later date. If you desire to address the City Council on an item on this agenda, other than a scheduled public hearing item you may do so at this time or asked to be heard when that agenda item is considered. Comments on public hearing items will be considered when that item is scheduled for discussion. The Public Comment period is limited to 30 minutes. Each speaker shall be limited to three (3) minutes.)

a. Members of the Audience

1) **Ted Powl**, President/CEO, Chamber of Commerce, reported that 21 participants are enrolled in the nine-week Civic Academy. He mentioned students are welcome to participate next year to build on issues learned tonight. 2) He said the Toast of the Town tickets are going fast for the adults only event on April 3, 2008 to kick off the social season in San Dimas. Tickets are still available at the Chamber of Commerce. 3) Mr. Powl announced that nominations are being solicited at the Chamber of Commerce for Businessman of the Year, Businesswoman of the Year, New Business of the Year, Business of the Year, New Commercial Building of the Year, and Renovated Commercial Building of the Year, and awards will be presented at the Annual Installation Awards Dinner in May. For additional information or assistance, the Chamber can be contacted at 909/592-3818.

2) **Gary Enderle**, Via Esperanza, 1) disclaimed representing any organization or group. 2) He said the City Council recently denied a request by Via Verde Gas Station owner to convert a portion of car bay space to retail space. Mr. Enderle indicated that the requested square footage is substantially less than the owner presented, and Mr. Enderle would like staff to work with the owner, and asked the City Council to give them the opportunity to present a revised proposal.

5. 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.)

Mayor Pro Tem Templeman requested that item 5(b) be removed for separate consideration.

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

- a. Resolutions read by title, further reading waived, passage and adoption recommended as follows:
 - (1) **RESOLUTION NO. 08-11**, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN DIMAS APPROVING CERTAIN DEMANDS FOR THE MONTH OF MARCH, 2008.
 - (2) Part time Supervising Lifeguard/Instructor job classification added pursuant to Council approval on February 26, 2008.
RESOLUTION NO. 08-12, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN DIMAS ADOPTING AND EXTENDING THE PAY PLAN AND REIMBURSEMENT SCHEDULE FOR CITY EMPLOYEES.
- c. Approval of Submission of San Dimas Ave. Street Rehabilitation Project Plan for State Proposition 1B-Local Streets and Roads Improvement Bond Funds.
- d. Award of Cash Contract No. 2008-01 to Vance & Associates, in the amount of \$48,500.00, for San Dimas Martin House Re-Roof project.

END OF CONSENT CALENDAR

- 5b. Approval of minutes for regular meeting of February 26, 2008 and Special session of February 26, 2008.

Mayor Pro Tem Templeman requested that a portion of sentence on page 4 "and urging residents to conserve water by 15% to allow for density housing" be struck from the minutes of February 26, 2008.

With that amendment to the minutes, Mayor Pro Tem Templeman moved approval of item 5(b). The motion was seconded by Councilmember Ebner and carried unanimously.

6. OTHER BUSINESS MATTERS

- a. Receive a report from staff regarding the multi-purpose trail along the County's San Dimas Canyon Park. Take action to temporarily close the trail for equestrian use while a revision to the trail and fencing is decided and a new street right-of-way Use Agreement can be worked out with the County.

City Manager Michaelis reported that the public has expressed concern regarding the wood fencing along San Dimas Canyon Road and the multi-purpose trail at San Dimas Canyon Park and would like the wood fence replaced with a vinyl fence. At a recent meeting with City staff, County Park representatives stated the County was not able to make a financial commitment to replace the wood fence, but offered a work crew. Staff recommended closure of the equestrian trail along San Dimas Canyon Park to allow for the timely removal of the street side fence line and removal or adjustment of the parking lot fence line, while the City and County work together to identify funding sources, replace fence material, and come back with a completed new right-of-way agreement.

Councilmember Bertone requested an update in 30 days, whether or not any action was taken.

Mayor Pro Tem Templeman said the Equestrian Commission heard this item at their last meeting and they understand the importance and safety issues of temporarily closing the trail. The Commission looks forward to the City working with the County to get the vinyl fence up as soon as possible. He moved to approve staff's recommendation as outlined in the staff report.

The motion was seconded by Councilmember Bertone and carried unanimously.

- b. Request to authorize appropriation of funds for architectural services in the amount of \$535,000 for the City Hall expansion and renovation project with a total design cost of \$642,000, with the approval of the Agreement with Nestor+Gaffney Architecture LLP to be completed by the City Manager and City Attorney. Approve budget adjustment transferring the amount of the contract from the Reserve for City Hall Renovation in the General Fund to a line item expenditure in Fund 12.

Director of Development Services Coleman presented a Powerpoint presentation regarding the scope of the project and the challenges of having a vintage city hall. He illustrated the critical space shortage, crowded conditions, utilization of closets for office use, lack of community meeting rooms, and the inefficient electrical, mechanical, and plumbing systems. He reported that a Request for Qualifications was issued in October 2007 to over 60 architects and 11 responses were received. Of two firms invited to submit proposals, staff selected Nestor+Gaffney Architecture LLP (NGA) and recommended the City Council direct staff to enter into a contract for architectural services in an amount not to exceed \$535,000, and a total design cost of \$642,000; direct the City Manager and the City Attorney to craft an agreement; and approve budget adjustment transferring the amount of the contract from the Reserve for City Hall Renovation in the General Fund to a line item expenditure in Fund 12.

City Manager Michaelis commented that although the city hall is a great building ahead of its time, there is a need to provide adequate space for staff, meeting rooms, public events/activities, storage, and parking. He indicated that the outdated electrical system cannot accommodate digital equipment not considered in the original design of the building. He stated that approximately \$3 million has been set aside in reserves for this project, which is estimated between \$4-6 million, depending on expansion and parking needs, with the capacity to add to that from unencumbered reserves as the project moves forward.

Mr. Michaelis responded to Council's questions as it related to looking into grants for retrofitting plumbing; and said Council and community feedback for the design is planned as part of the retreat agenda.

In response to Councilmember Badar, Assistant City Manager Duran explained that during the first phase consultants were asked to look at rearranging existing interior space. He said they projected what growth needs would be in five years and determined that to accommodate an additional 6,000 square feet of work space, an expansion is necessary. Director Coleman stated that the original space assessment is not included in the \$535,000.

In response to Councilmember Bertone, Director Coleman replied that LEED is the acronym for Leadership Energy Environmental Design, which is optional and not part of the recommended contract amount. He pointed out that the architects are LEEDS certified and bring invaluable experience with them.

It was moved by Mayor Pro Tem Templeman, seconded by Councilmember Badar, to authorize staff to execute a contract with Nestor+Gaffney Architecture LLP (NGA) for architectural services, in an amount not to exceed \$535,000, and a total design cost of \$642,000. Council further approves a budget adjustment transferring the amount of the contract from the Reserve for City Hall Renovation in the General Fund to a line item expenditure in Fund 12.

Mayor Pro Tem Templeman requested that staff keep the City Council informed of developments and consider adding pictures on the website for the community.

The motion carried unanimously.

- c. Consider budget amendment to facilitate the next phase of Downtown Planning with PMC Consultants (Mark Brodeur).

Assistant City Manager of Community Development Stevens outlined the tasks of a proposal received from PMC to perform the next phase of Downtown Planning. Staff recommended authorization to transfer \$100,000 from the General Plan account to Downtown Planning Account; commit to \$80,000.00 for Downtown Planning in Fiscal Year 08-09; and to enter into contract with PMC for a total amount not to exceed \$214,000.00.

It was moved by Councilmember Bertone, seconded by Councilmember Ebiner, to authorize staff to enter into a contract with PMC for a total amount not to exceed \$214,000; transfer \$100,000 from the General Plan Account to the Downtown Planning Account; and to commit to \$80,000 in FY08-09 as recommended by staff. The motion carried unanimously.

7. SAN DIMAS REDEVELOPMENT AGENCY

Mayor Morris recessed the regular meeting at 8:06 p.m. and convened a meeting of the San Dimas Redevelopment Agency Board of Directors. The regular meeting reconvened at 8:08 p.m.

8. ORAL COMMUNICATIONS

- a. Members of the Audience (Speakers are limited to five (5) minutes or as may be determined by the Chair.)

There were no comments.

- b. City Manager

There were no comments.

- c. City Attorney

There were no comments.

- d. Members of the City Council

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

Councilmember Badar said he attended a special meeting of the Governing Board for Foothill Transit to consider City of Pasadena's proposal to join Foothill Transit Zone Joint Powers Authority. He said a unanimous vote is needed from member cities, and ultimately discussion and a presentation will take place before each City Council.

- 2) Individual Members' comments and updates.

- a) Mayor Morris said a special notice was given to call a Special Meeting of the San Dimas Redevelopment Agency for purposes of going into closed session pursuant to Government Code 54956.8 to discuss property located in the vicinity of Agency owned property, at the corner of Eucla/Bonita Avenue and another parcel at Cienega Avenue.

City Attorney Brown said this is a Special Meeting of the Agency that was properly agendized and noticed, and would be discussed in closed session at the conclusion of the regular meeting. He asked if anyone wished to address the Agency on this matter. No one stepped forward to speak.

b) In response to Mayor Pro Tem Templeman, Mayor Morris stated that Mrs. Vicki Johnson has talked to staff and understands that San Dimas does not have rental assistance.

c) Councilmember Bertone recommended directing staff to review snack shop requirements in Specific Plan No. 17, with the possibility of allowing snack shops to increase in size to 1,000 square feet, and to analyze repercussions a code amendment might have on other gas stations.

In response to Mayor Pro Tem Templeman, Assistant City Manager Stevens replied that staff felt limiting consideration to Specific Plan No. 17 would be most prudent and expeditious at the present time, but when brought before them, Council might decide to look at this matter on a broader basis.

Mayor Pro Tem Templeman stated he is willing to support the study, but would be watchful on the number of square feet and how that space is used.

Mayor Morris voiced his support and recommended addressing the definition of a snack shop so there is a clear delineation between convenience stores and mini-markets.

In response to Councilmember Badar, Mayor Morris stated the motion is only to authorize staff to initiate a review of snack shops in Specific Plan No. 17.

Mayor Pro Tem Templeman stated he cannot be as supportive of moving forward if the request is to create mini-markets at gas stations. He is willing to support reviewing conveniences the motoring public needs at gas stations as a snack shop.

Councilmember Ebiner stated that in the past this type of discussion has been criticized. He requested that staff bring back at the next meeting an agendized item asking for direction to modify the code and to direct staff to look at alternatives.

Mayor Morris stated this direction was brought up with prior approval of the City Attorney.

The motion carried 4.1; Councilmember Ebiner abstained.

Councilmember Bertone stated that every member of this City Council is very concerned about every business in town; however, that does not mean giving every business everything they desire, because the City has certain standards to uphold.

d) Mayor Morris stated that he, Councilmember Bertone and City Manager Michaelis met with School District representatives regarding San Dimas development impact fees being used to pay for Certificates of Participation which financed Oak Mesa School. He explained that the School District provided a complete report on how they apportioned RAD money between educational expense and recreational expense, and it turns out San Dimas impact fees are not pledged for payment of the Certificates of Participation. The School District will take a look to decide whether it would be appropriate to put some funds generated in San Dimas into San Dimas uses.

Councilmember Bertone said it was a very cordial meeting and the Mayor did an excellent job of convincing the Superintendent to look into apportionment of impact fees. He said at least \$1.2 million of San Dimas impact fees that should have been spent in San Dimas have gone to Oak Mesa School in La Verne.

9. CLOSED SESSION

Mayor Morris recessed at 8:27 p.m. to a City/Redevelopment Agency closed session pursuant to Government Code Section 54956.8:

a. CONFERENCE WITH REAL PROPERTY NEGOTIATOR

Property: Agency owned property at the southeast corner of Bonita Avenue and Eucla.

Negotiating Parties:

For Agency: Blaine Michaelis, City Manager/Executive Director, and J. Kenneth Brown, City/Agency Attorney.

For Buyer: Mike Patel, Chaparral Lanes

Under Negotiation: Terms and conditions of sale of land and City/Agency possible participation.

b. Property: Discussion regarding potential property acquisition involving Vista Verde. Ranch property generally located in the unincorporated county area adjacent to and north of the development in Via Verde.

Negotiating Parties:

For City: Blaine Michaelis, City Manager, Larry Stevens, Assistant Manager Development Services, and J. Kenneth Brown, City Attorney.

For Seller: Daniel Singh

Under Negotiation: Terms and conditions of sale of grant application involving potential acquisition of land and possible City participation.

c. Property: Fox Project Grove Station L.L.C., San Dimas Avenue

Negotiating Parties:

For Agency: Blaine Michaelis, City Manager/Executive Director, and J. Kenneth Brown, City/Agency Attorney.

For Property: William Fox; Jide Alade

Under Negotiation: Terms, conditions, pricing and allocation of affordable units and/or Agency participation.

d. Property: 500 West Bonita, 129-151 South Eucla, and 712 & 714 West Cienega San Dimas, CA

Negotiating Parties:

For Agency: Blaine Michaelis, City Manager/Executive Director, and J. Kenneth Brown, City/Agency Attorney.

For Property: Todd Launchbaugh Lee & Associates

Under Negotiation: Possible purchase of property and possible terms and conditions of City/Agency participation.

e. Report on closed session items.

Pursuant to Section 54957.7(a), the City Council announced that there was no action taken on closed session items.

10. ADJOURNMENT

Mayor Morris adjourned the meeting at 10:12 p.m. The next meeting is Tuesday, March 25, 2008, 7:00 p.m.

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

ATTEST:

Ina Rios, CMC, City Clerk