



MINUTES
REGULAR CITY COUNCIL /
REDEVELOPMENT AGENCY MEETING
TUESDAY, MARCH 25, 2008, 7:00 P. M.
COUNCIL CHAMBERS, 245 E. BONITA AVE.

PRESENT:

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
Planning Manager Craig Hensley
Parks and Recreation Services Manager Leon Raya
Associate Planner Kristi Grabow

1. CALL TO ORDER

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

2. RECOGNITIONS

- Present Proclamations and Banners to families of Military Personnel.

Mayor Morris read and presented a Proclamation to Ronnie Marquez who was recently discharged from the United States Navy with the rank of MA2/E-5 after receiving the Good Conduct Medal and two Navy Achievement Medals.

Gary Enderle and **Janie Graef**, San Dimas Heroes representatives, presented to Ronny Marquez a banner that was displayed on San Dimas Avenue. Mr. Enderle provided a brief update on the banner program and said San Dimas Heroes, with the help of City of San Dimas, has raised over \$22,000 toward the banner program and permanent memorial. He thanked the City Council and staff for the great support. He mentioned that they get positive reaction from the community and family through their website.

3. PRESENTATIONS

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

Galen Gillotte, Children's Librarian, was not present to give an update on library activities.

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) **Kristine Kulow**, Principal, San Dimas High School, invited the City Council and the community to San Dimas Spring Open House/Annual Art Fair on Thursday, April 3, 2008, 5:30 p.m.

2) **Debbie Figoni**, San Dimas Environment Services Coordinator, invited residents to participate in upcoming events: a) Free Composting Workshop on Saturday, March 29, 2008, from 9:00 a.m. - 11:00 a.m., at Horsethief Canyon Park. She said a composting bin subsidized by the County of Los Angeles is available for \$30. b) She encouraged disposal of household hazardous waste and e-waste such as computers, TVs, paint, batteries, and fluorescent light bulbs at upcoming Household Hazardous and E-Waste Round Ups - April 26 in Azusa; May in Pomona/West Covina, and August in San Dimas. c) Sharps Disposal by Mail Program for residents who need to dispose of needles in a safe manner. Free Sharps containers will be available to only San Dimas Residents at Walgreens and Rite-Aid. For more information on these programs, Ms. Figoni can be contacted at 909/394-6240, or at city hall.

3) **Councilmember Bertone** inquired about the Toast of the Town.

4) **Sid Maksoudian**, Camino del Sur, addressed the City Council on the Toast of the Town's participating restaurants, and the San Dimas Wine Shop being advertised.

5) **Joe Fransen** invited the Council, staff and the community to the Toast of the Town on Thursday, April 3, 2008, featuring the finest premier restaurants and wine tasting hosted by the local wine shop. He said tickets sell out every year.

Councilmember Bertone said tickets are \$25 for excellent wines and cuisine.

6) **Mayor Morris** officially wished Mr. Fransen a happy birthday.

In response to Councilmember Badar, Mr. Fransen named some of the restaurants that would be participating in the event.

7) **Heidi Daniels**, 225 W. Bonita, extended an invitation to the Toast of the Town, the beginning of the social season, to support the Chamber of Commerce. She said \$25 is inclusive of wine and food.

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 item 5a(3) be removed for separate consideration.

It was moved by Councilmember Badar, seconded by Councilmember Bertone, and carried unanimously by those present 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. 08-13**, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN DIMAS APPROVING CERTAIN DEMANDS FOR THE MONTH OF MARCH, 2008.
 - (2) **RESOLUTION NO. 08-14**, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN DIMAS APPROVING THE GRANT AGREEMENT FOR THE CALIFORNIA CULTURAL AND HERITAGE ENDOWMENT (CCHE) UNDER THE CALIFORNIA CLEAN WATER, CLEAN AIR, SAFE NEIGHBORHOOD PARKS, AND COASTAL PROTECTION ACT OF 2002.
- b. Approval of minutes for meeting of March 11, 2008.
 - c. Rejection of claim for damages from Vanessa Laguna.
 - d. Purchase two Ford Escape Hybrid-Electric Vehicles and budget appropriation of \$16,910 from Fund 71.

END OF CONSENT CALENDAR

5a(3).

- (3) Amendment to the San Gabriel Valley Council of Governments' Joint Powers Agreement to admit the San Gabriel Valley's 3 water agencies to share a single membership on the JPA.
RESOLUTION NO. 08-15, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN DIMAS APPROVING AND ADOPTING AMENDMENT ONE TO THE THIRD AMENDED AND RESTATED JOINT EXERCISE OF POWERS AGREEMENT OF THE SAN GABRIEL VALLEY COUNCIL OF GOVERNMENTS.

In response to Mayor Pro Tem Templeman, Councilmember Bertone replied that he supports this issue and said the San Gabriel Valley Council of Governments (COG) made up of 31 cities, including the City of San Dimas, is trying to bring in other organizations. He mentioned that Mr. Templeman has attended Water District meetings and reported problems with lack of water. Mr. Bertone explained that approval of this Resolution would add Water Districts to the Council of Governments organization and allow them to vote on the COG matters.

It was moved by Councilmember Bertone, seconded by Councilmember Badar, and carried unanimously to adopt **RESOLUTION NO. 08-15**, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN DIMAS APPROVING AND ADOPTING AMENDMENT ONE TO THE THIRD AMENDED AND RESTATED JOINT EXERCISE OF POWERS AGREEMENT OF THE SAN GABRIEL VALLEY COUNCIL OF GOVERNMENTS.

6. PLANNING/DEVELOPMENT SERVICES

- a. Consideration of Precise Plan 08-01 (DPRB Case No. 07-44) - A request to construct a 1,083 sq. ft. addition to an existing restaurant located at 269 West Foothill Boulevard (APN: 8665-004-015).

RESOLUTION NO. 08-16, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN DIMAS APPROVING PRECISE PLAN REVIEW 08-01 (DPRB 07-44) A REQUEST TO CONSTRUCT A 1,083 SQ. FT. ADDITION TO AN EXISTING RESTAURANT LOCATED AT 269 WEST FOOTHILL BOULEVARD (APN: 8665-004-015).

Mayor Morris stated this matter is before the City Council because any amendment within the Scenic Highway Overlay Zone requires Planning Commission and City Council review.

Associate Planner Grabow presented a request to remove 264 square feet to allow construction of a 1,083 square feet addition to Pinnacle Peak restaurant at 269 West Foothill Boulevard, for a total addition amount of 819 square feet. She reported that after reviewing the case, the Development Plan Review Board and the Planning Commission recommended approval of the Precise Plan contingent upon conditions. Staff recommended adoption of Resolution No. 08-16.

Mayor Pro Tem Templeman reported that he attended meetings with the Mayor, staff, and the applicant, to discuss this item.

Councilmember Badar reported he also attended meetings with the Mayor and the applicant.

Mayor Morris stated he attended those meetings as well as the Development Plan Review Board meetings. He said this is an unusual project in that they split the project to complete phase one and they have additional time to complete the second phase. Mayor Morris invited testimony from the audience.

Mike Tricker thanked the City Council and staff who worked tirelessly on this project. He is looking forward to completing the project and opening the restaurant. He responded to Councilmember Badar that the major renovation requires closure of the restaurant and he would try to minimize the time frame of going through the process by getting permits for construction prior to closing.

In response to Mayor Pro Tem Templeman, Mr. Tricker said he plans to be open on Father's Day.

Paul Stroshein thanked the City Council and said they have a timed deadline and he is looking for a two month building process. He indicated that before the restaurant is closed, he can work on outside areas, foundation systems, and would appreciate courtesy inspections from the Building Department to expedite the project.

After the title was read, it was moved by Councilmember Bertone, seconded by Councilmember Badar, to waive further reading and adopt **RESOLUTION NO. 08-16**, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN DIMAS APPROVING PRECISE PLAN REVIEW 08-01 (DPRB 07-44) A REQUEST TO CONSTRUCT A 1,083 SQ. FT. ADDITION TO AN EXISTING RESTAURANT LOCATED AT 269 WEST FOOTHILL BOULEVARD (APN: 8665-004-015). The motion carried unanimously.

7. SAN DIMAS REDEVELOPMENT AGENCY

Mayor Morris recessed the regular meeting at 7:37 p.m. and convened a meeting of the San Dimas Redevelopment Agency Board of Directors. The regular meeting reconvened at 7:42 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.)

1) Sid Maksoudian, Camino del Sur, wanted to know what restaurants are participating in the Toast of the Town and if there is a conflict of interest to advertise the San Dimas Wine Shop.

Mayor Morris stated for the record that the Toast of the Town is hosted by the Chamber of Commerce and is not a city event.

2) **Heidi Daniels**, San Dimas Wine Shop, said the Toast of the Town is a wonderful event supported by the community. She hopes to see everyone have a good time.

3) **Susie Crawford**, Paseo Teresa, added that she has enjoyed the Toast of the Town each year. She mentioned that after March 31, tickets go up in price, and urged anyone who has not purchased their ticket, to do so by March 31.

b. City Manager

There were no comments.

c. City Attorney

City Attorney Brown stated that after the agenda was prepared and distributed, he had discussions with the law firm about the City Hall Project Architectural Services Agreement which was approved by the City Council at the March 11, 2008 meeting. Mr. Brown would like the City Council to consider adding to the agenda approval of the law firm of Gibbs, Giden, Locher, Turner & Senet LLP to act as legal counsel on behalf of the City with the city hall remodel. He said there would be two separate contracts.

It was moved by Councilmember Bertone, seconded by Councilmember Badar, to add to the agenda to consider approval of the law firm of Gibbs, Giden, Locher, Turner & Senet LLP so they could be involved on behalf of the City with the city hall remodel. The motion carried unanimously.

It was moved by Councilmember Badar, seconded by Mayor Pro Tem Templeman, to authorize staff to execute the Legal Services Agreement with Gibbs, Giden, Locher, Turner & Senet LLP to provide legal services for the city hall expansion project. The motion carried unanimously.

d. Members of the City Council

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

There was nothing to report.

- 2) Individual Members' comments and updates.

- 1) Councilmember Badar indicated he would like the Chamber of Commerce to consider any restaurant in San Dimas that would like to participate in the Toast of the Town.

- 2) Councilmember Bertone announced an opportunity for citizens to exchange a working gas lawnmower for a cordless electric lawnmower for \$100.00. He said the \$400 plus tax electric lawnmower is being subsidized by AQMD and if anyone in the community would like more information, they can call City Manager Michaelis for literature.

- 3) Councilmember Bertone said AB939 requires cities to have a diversion rate of 50% of all solid waste and San Dimas is in second place with a 70% diversion rate. He said Assembly Bill 2640 is proposing that when green waste is diverted to cover a solid waste landfill, it cannot be used as part of the diversion rate. He said if the Bill were to pass, 14 additional cities in the San Gabriel Valley would not be able to meet the diversion rate. He said the Council of Governments is opposing the Bill, returning it to the author, and asking the State to provide facilities to compost green waste.

- 4) Mayor Pro Tem Templeman stated that he would like to have considered during the budget sessions a camera device to monitor graffiti. He would like to revisit how graffiti is eradicated and suggested power washing in lieu of painting.

5) Mayor Pro Tem Templeman stated that the Reserve Motor Officers motorcycles are probably five years old and due for replacement. He suggested putting in the capital improvement plan to contemplate changing out the motorcycles.

6) Mayor Pro Tem Templeman said he is joining several Commissioners and staff in Sacramento at the Planners Institute Conference and intends to address State Housing staff. He said he sent a message to Assembly Member Adams recommending a moratorium on mandates for housing in the community until the water infrastructure is fixed and to put all housing construction staff to work building a water retention facility.

7) Councilmember Ebner said the Family Festival held two weeks ago was a great event. He announced the San Dimas Stage Race this weekend and said there are two parts to watch in San Dimas: the first is at Puddingstone Lake; 2) on Sunday, spectators can watch hundreds of cyclists in the downtown from 7:00 a.m. until 5:00 p.m and the kids' races in front of city hall is at approximately 11:00 a.m.

Mayor Morris stated it is exciting watching a mass of cyclists.

9. CLOSED SESSION

Mayor Morris recessed at 8:03 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: 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.

c. 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.

d. 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 8:58 p.m. The next meeting will be on Tuesday, April 8, 2008, 7:00 p.m.

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

ATTEST:

Ina Rios, CMC, City Clerk