



MINUTES
REGULAR CITY COUNCIL
TUESDAY, APRIL 8, 2008, 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 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
Parks and Recreation Director Theresa Bruns
Facilities Manager Karon DeLeon
Planning Manager Craig Hensley
Administrative Aide Kevin Frey

1. CALL TO ORDER AND FLAG SALUTE

Mayor Morris called the meeting to order at 7:00 p.m. and led the flag salute.

2. RECOGNITIONS

- Proclaim May as Older Americans Recognition Month and recognize Maria Ybarra as the City's Older American Day honoree.

Mayor Morris declared the month of May as Older Americans Month and presented a proclamation to **Maria Ybarra**, the City's honoree recognized at the Los Angeles County Older American Recognition Day.

Councilmember Bertone highlighted Ms. Ybarra's history as a volunteer and congratulated her as the City's honoree.

Maria Ybarra stated she loves to volunteer and plans to do so as long as she can.

- Proclaim April 13-19, 2008 as National Library Week.

Mayor Morris presented to **Galen Gillotte**, Children's Librarian, a proclamation declaring April 13-19, 2008 as National Library Week.

Galen Gillotte, Children's Librarian, thanked the City Council for the Proclamation and said readers of all ages come through the doors of the Library and are assisted by Library workers who make the Library a welcoming and warm place.

- Proclaim April 21-25, 2008 West Nile Virus and Mosquito and Vector Control Awareness Week.

Mayor Morris read and presented to **Kelly Middleton**, Mosquito and Vector Control, a proclamation declaring April 21-25, 2008 West Nile Virus and Mosquito and Vector Control Awareness Week.

Kelly Middleton, Mosquito and Vector Control, thanked the City Council for the proclamation and said it is important to remind residents that West Nile Virus is a chronic problem in California. She asked residents to be on the look out for and report foreclosed or abandoned homes with swimming pools that could become a mosquito breeding problem. She appreciates the opportunity to serve San Dimas residents.

3. PRESENTATIONS

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

Galen Gillotte, Children's Librarian, San Dimas Library, reminded the public that the meeting room is not available for the next two months, to allow staff to be trained on the new Library catalog, which will go live in June. She outlined some programs that continue to be offered and invited kids to guess the number of jelly beans in a jar to win prizes. She said four new internet sites are available and reminded residents to make reservations for free computer use.

- San Dimas Senior Citizens Club regarding their fundraising efforts and community contributions.

Linda Groth, Treasurer, San Dimas Senior Citizens Club, highlighted the 2007 contributions made to the community by the San Dimas Senior Citizens Club.

Councilmember Bertone pointed out that the San Dimas Senior Citizens Club conducts the fundraisers and chooses to give it back to the community.

Mayor Morris introduced Erica Rodriguez, Senior Citizens Coordinator.

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

Ted Powl, President/CEO, Chamber of Commerce, thanked the City and everyone who participated in the Toast of the Town last Thursday. He said events like this do not happen without the support of organizations and volunteers.

Mayor Pro Tem Templeman praised Chamber staff's policing of the event and mentioned that several people commented that this was the best event.

Councilmember Bertone thanked Margie Green for her involvement in City events. He said the Health Department inspected the facilities and said they had never seen a private function run so well.

Councilmember Badar appreciated the ample servings of food provided for only \$25.

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 or audience requests separate discussion.)

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

It was moved by Councilmember Ebner, seconded by Councilmember Bertone, 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) **NO. 08-17, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN DIMAS, CALIFORNIA, APPROVING CERTAIN DEMANDS FOR THE MONTHS OF MARCH AND APRIL, 2008.**
- c. Single Audit Report for fiscal year ending June 30, 2007.
- d. Waive the Formal Bid Process and Award of Contract in the amount of \$30,000.00 to Precision Concrete Cutting, a contractor exclusively specializing in sidewalk grinding.
- e. Award of Cash Contract No. 2008-02, concrete maintenance project - various citywide locations, to Yakar, Inc. in an amount not to exceed \$120,000.00.
- f. Reject claim for damages from Van Patton.
- g. Proclaim April 2008 as Child Abuse Prevention Month.
- h. Proclaim April 13-19, 2008 as National Crime Victims' Week.
- i. Proclaim April 20-26, 2008 as Safety Seat Checkup Week.

END OF CONSENT CALENDAR

- 5b. Approval of minutes for regular meeting of March 25, 2008.

Mayor Pro Tem Templeman said Larry Stevens was not present at the March 25, 2008 meeting and he requested that Mr. Stevens' name be removed from the minutes. With that amendment, he moved approval of item 5b. The motion was seconded by Councilmember Bertone and carried unanimously.

6. PUBLIC HEARING

(The following items have been advertised and/or posted. The meeting will be opened to receive public testimony. Speakers are limited to 5 minutes.)

- a. Municipal Code Text Amendment 08-01 to consider various amendments to Title 18, Chapter 152 of the San Dimas Municipal Zoning Code amending the zoning code, regarding residential signs and special event banners, to be content neutral and able to pass legal scrutiny.

ORDINANCE NO. 1174, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN DIMAS APPROVING MUNICIPAL CODE TEXT AMENDMENT 08-01 AMENDING TITLE 18, CHAPTER 152 OF THE SAN DIMAS MUNICIPAL ZONING CODE. INTRODUCTION AND FIRST READING

Administrative Aide Frey said staff distributed a revised copy of the ordinance including a chart illustrating previously approved ordinances outlining the reasons for the proposed amendment. He presented the staff report and said the Planning Commission heard and recommended amending Title 18, Chapter 152 of the San Dimas Municipal Zoning Code pertaining to signs and special event banners. Staff recommends that the City Council introduce Ordinance No. 1174 to make political signs and real estate signs in residential areas subject to the same size requirements and to limit the time special event banners can be posted.

Mayor Morris stated that Section one simplifies the process to obtain special event banners which are permitted in conjunction with a Temporary Use Permit.

In response to Councilmember Badar, Assistant City Manager Stevens stated that staff did not set specific criteria; but felt each event should be reviewed individually. He said experience would help establish rational standards and a policy could be created if necessary.

Mayor Morris opened the public hearing and invited public testimony and the following persons spoke:

1) **Ted Powl**, President/CEO, Chamber of Commerce, commended city staff for including special event portion of the ordinance. He said with a limited budget, the number of signs going up is going to be self-limiting.

2) In response to **Ron Kranzer**, Mr. Stevens clarified that political signs are not permitted in the public right-of-way, except the parkway on single family residential properties.

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 introduce **ORDINANCE NO. 1174**, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN DIMAS APPROVING MUNICIPAL CODE TEXT AMENDMENT 08-01 AMENDING TITLE 18, CHAPTER 152 OF THE SAN DIMAS MUNICIPAL ZONING CODE.

Mayor Pro Tem Templeman opposes signs in the public right-of-way and said he would support this motion, but is interested in further discussion of this issue.

Councilmember Badar supported discussion on signs in the public right-of-way.

The motion carried unanimously and Ordinance No. 1174 was introduced.

Mayor Morris said two members of the City Council expressed interest in bringing back the issue of eliminating political signs in the public right-of-way. Councilmember Bertone expressed opposition.

Staff was directed to bring back a report to consider eliminating political signs in the public right-of-way.

7. OTHER MATTERS

- a. Verbal status report on the County fence replacement project for San Dimas Canyon Park.

City Manager Michaelis said concern was expressed with fence materials and the wooden equestrian fence in front of San Dimas Canyon Park has been removed, and signs were posted to make sure the area is safe and passable. He stated that Supervisor Antonovich proposed \$40,000 toward installation costs of a double-vinyl fence to replace the wooden fence, and as soon as funds are available, staff is prepared to complete the project.

Mayor Morris suggested advancing the funds to complete the work and be reimbursed by the County.

- b. Proposal from San Dimas Little League for a Memorial Wall at Marchant Park.

Facilities Manager DeLeon summarized information and background for the request from San Dimas Little League for a Memorial Wall to be located at Marchant Park. She said the Parks and Recreation Commission reviewed the policy and recommended approval of the Recognition Policy and proposal for a San Dimas Little League Memorial Wall at Marchant Park.

Joe Chapman, President, San Dimas Little League, thanked staff and the Parks and Recreation Commission for their support. He said Little League is a program of service to youth dedicated to inspiring with goals, enriching their lives, and providing role models through establishment of good values and ideals of good sportsmanship, honesty, loyalty, courage, and respect for authority.

Mayor Pro Tem Templeman and Councilmember Badar were not concerned with limiting the number to two inductees per year.

Mayor Morris said if the Little League chooses to change policy, it can be delegated to Parks and Recreation to review and approve any change.

It was moved by Councilmember Bertone, seconded by Councilmember Ebner, to approve the Recognition Policy and concept of a Memorial Wall at Marchant Park. The motion carried unanimously.

8. 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 8:07 p.m.

9. 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

City Manager Michaelis announced the City Council/Staff Retreat on Monday, April 14, 2008, at 3:00 p.m. in the City Council Conference Room.

- c. City Attorney

There were no comments.

- d. Members of the City Council

- 1) Reorganization of City Council

- a. Appointment of Mayor Pro Tem

Mayor Morris stated that last year, the City Council set the term to one year for Mayor Pro Tem.

Councilmember Bertone nominated Councilmember Emmett Badar for Mayor Pro Tem. The motion was seconded by Councilmember Ebner and carried unanimously.

- 2) Appointments to Public Safety Commission

Mayor Morris stated that nine Public Safety Commissioners' terms expired in February and four Commissioners were reappointed, leaving five vacancies on the Public Safety Commission. He said the vacancies were advertised twice and after the close of the recruitment period, he and Councilmember Badar conducted interviews over a three day period.

Mayor Pro Tem Badar stated that he and Mayor Morris interviewed fifteen qualified persons and moved to appoint Tomas Molina, Kathleen Mulligan, Ted Ross, Paul Kirby, and Arthur Randy Alva to serve on the Public Safety Commission for a two-year term to expire February 10, 2010.

The motion was seconded by Councilmember Templeman and carried unanimously.

Mayor Morris said there were several applicants who are involved in the community and new applicants who have a real promise of serving in various capacities in the future.

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

Councilmember Templeman reported that along with four Planning Commissioners and staff, he attended the League of California Cities Planner's Institute in Sacramento. He gave a brief report on the sessions and said the Planners Institute is geared toward the nuts and bolts of local government, and he encouraged Council to attend the event.

Mayor Pro Tem Badar said it is a good opportunity for the City Council to spend time with Planning Commissioners.

4) Individual Members' comments and updates.

1) Councilmember Bertone thanked Mr. Powl and the Chamber of Commerce for the Toast of the Town, as well as his Chairperson Heidi Daniels; Margie Green who served on the Committee, and several others who did an excellent job.

2) Councilmember Bertone said the California Environment Quality Act (CEQA) is becoming increasingly difficult because there is less property left for endangered species. He said San Dimas is fighting to protect the Northern Foothills and the Vista Verde Ranch properties, and if it were not for CEQA, San Dimas would not have Bonelli Park - they would have a hotel, restaurants, rodeo ring and apartment houses.

3) Councilmember Templeman stated he is not able to attend the meeting with Supervisor Antonovich.

4) Councilmember Ebner announced Costco's grand opening on May 16.

City Manager Michaelis said the gas station would be opened on Wednesday, May 15, and on Thursday, May 16, at 6:00 p.m., Costco is hosting a V.I.P. soft opening to show their wares. The sale opening will be held on Friday, May 17, at 8:00 a.m.

5) In response to Mayor Pro Tem Badar, Mr. Michaelis said Krishna Patel and his staff are working hard to complete the roadway infrastructure.

6) Councilmember Ebner commended the choice of lights by the parking lot.

7) Mayor Morris said there's not much left of an environment to protect and CEQA is needed.

10. CLOSED SESSION

Mayor Morris recessed at 8:29 p.m. to a City/Redevelopment Agency closed session pursuant to Government Code Section 54956.8 and the Council/Board would discuss items A & C only.

a. **CONFERENCE WITH REAL PROPERTY NEGOTIATION**

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/Jerry Zimmerman, Bravo Burgers

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: 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.

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.

11. ADJOURNMENT

Mayor Morris adjourned the regular meeting at 9:15 p.m. The next meeting will be Monday, April 14, 2007, 3:00 p.m. for a City Council/Staff Retreat.

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

ATTEST:

Ina Rios, CMC, City Clerk