



**MINUTES**  
**REGULAR CITY COUNCIL**  
**TUESDAY, APRIL 22, 2008, 7:00 P. M.**  
**COUNCIL CHAMBERS, 245 E. BONITA AVE.**

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**PRESENT:**

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

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  
Planning Manager Craig Hensley

**1. CALL TO ORDER**

Mayor Morris called the meeting to order at 7:02 p.m.

**2. PRESENTATIONS**

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

**Galen Gillotte**, Children's Librarian, San Dimas Library, announced that the National Endowment for the Humanities in cooperation with the American Library Association presented the San Dimas Library with the *We the People* "Created Equal" Bookshelf, a collection of twenty-one books on the "Created Equal" theme. She stated that it is hoped that these books will encourage young people to read and understand great literature while exploring themes in American History.

Ms. Gillotte highlighted the summer programs at the San Dimas Library and announced that 9 year old Sarah McGrath won the Jelly Bean count contest.

- 3. 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) **Margie Green** extended an invitation to the Garden Affair of Downtown, tying in with the Festival of Arts, Saturday-Sunday, April 26-27, 2008, in the Civic Center Park. She encouraged citizens to visit the Downtown Shops decorated for the event and said the Los Angeles County Fair donated a trolley for pick up and drop offs. Ms. Green highlighted the activities for the fun-filled weekend including pancake breakfasts, Trading Post, Artisans, the Art Gallery, Art Auction, Art Seminars, and Kids Corner.

2) **Rick Williams** addressed the City Council regarding the preservation of the historical Arch on Terrebonne. He said residents have pledged funds to save the Arch.

Staff was directed to contact Mr. Williams before the Arch was demolished and to report back to the City Council.

3) **Adam Phipps**, Cub Master, outlined the activities and projects performed by the cub scouts in San Dimas and invited everyone to their Pack Meeting on Thursday at 6:30 p.m. at Ekstrand Elementary School. He said the Cub Scouts are always available to interact with the City staff.

4) **Ted Powl**, President/CEO, Chamber of Commerce thanked the Mayor and City Staff for helping with the Chamber election to make sure everyone is anonymous in the vote. He said the Chamber extended the deadline to May 9 to take nominations for Businesses to be recognized at the annual Installation Awards Dinner on May 28, 2008. Mr. Powl mentioned that the Chamber is also working with schools to recognize teachers on May 14, 2008. He thanked Honorary Chair Morris and said they are tickled to have the opportunity to honor teachers.

#### 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.)

Mayor Morris noted that amendments were made to the April 8, 2008 minutes on page 6 to correct the dates of Costco's opening; April 14, 2008 minutes, page2 and 3 as related to the Liaison Committee not needed and review of closed session items.

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. 08-18**, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN DIMAS, CALIFORNIA, APPROVING CERTAIN DEMANDS FOR THE MONTH OF APRIL, 2008.

(2) Proposed 2008-2009 Assessment Rates for Open Space Maintenance Districts:  
**RESOLUTION NO. 08-19**, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN DIMAS, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, APPROVING THE ENGINEER'S REPORT AND DECLARING ITS INTENTION TO LEVY AND COLLECT AN ASSESSMENT FOR FISCAL YEAR 2008-09 PURSUANT TO THE LANDSCAPE AND LIGHTING ACT OF 1972 AND ARTICLE XIID OF THE CALIFORNIA CONSTITUTION, AND FIXING A TIME AND PLACE FOR A PUBLIC HEARING FOR HEARING OBJECTIONS FOR OPEN SPACE MAINTENANCE DISTRICT NO. 1 (TRACT 32818, BOULEVARD).

(3) **RESOLUTION NO. 08-21**, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN DIMAS APPROVING THE APPLICATION FOR GRANT FUNDS FOR THE CALIFORNIA CLEAN WATER, CLEAN AIR, SAFE NEIGHBORHOODS, AND COASTAL PROTECTION BOND ACT OF 2002, THE WATER, SECURITY, CLEAN DRINKING WATER, COASTAL AND BEACH PROTECTION ACT OF 2002, AND THE SAFE DRINKING WATER, WATER QUALITY AND SUPPLY, FLOOD CONTROL, RIVER AND COASTAL PROTECTION BOND ACT OF 2006 (PROP 84).

b. Ordinances read by title, further reading waived, passage and adoption recommended as follows:

(1) **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. **SECOND READING AND ADOPTION**

- c. Approval of minutes for regular meeting of April 8, 2008; City Council/Staff Retreat minutes of April 14, 2008; and Special meeting of April 16, 2008.
- d. Approval of City's Statement of Investment Policy: This investment statement outlines the policies for maximizing the efficiency of the City's cash management system.
- e. Appropriate \$10,000 from Fund 12 Infrastructure Fund to combine with money from the County of Los Angeles - Supervisor Antonovich's Office to install a double row equestrian vinyl fence along the multi-purpose trail along San Dimas Canyon Road in front of San Dimas Canyon Park.
- f. Appropriation of \$35,000 from General Fund to repair the Lone Hill Avenue frontage Road Pavement in conjunction with Costco's street improvements.
- g. Proclaiming May 1, 2008 National Day of Prayer.
- h. Proclaiming April as County of Los Angeles Earthquake Preparedness Month.
- i. Proclaiming April as Sexual Assault Awareness Month and April 23 as "Denim Day" in San Dimas.

END OF CONSENT CALENDAR

## 5. PLANNING/DEVELOPMENT SERVICES

- a. Consider request to initiate Code Amendment to revise Standard allowing Political Signs in parkway areas of residential zones.

Assistant City Manager of Community Development Stevens reported that in 2006 a code amendment was approved changing certain language in the San Dimas Sign Code clarifying the standards adopted in 1999 allowing political signs in the parkways in residentially zoned areas. He stated that in April 2008, the City Council requested further consideration of the standard allowing political signs in residential parkways. Mr. Stevens said it is entirely within the discretion of the City Council to allow or not allow political signs in the public right-of-way.

Councilmember Templeman opposed the proliferation of signs in the community and would vote against allowing signs in the public right-of-way.

Councilmember Ebiner commented that if two Councilmembers feel strongly an issue should be revisited, he is willing to support the exercise. He stated that nine years ago he suggested allowing political signs in the public right-of-way because he believes political speech deserves a higher form of protection than commercial speech.

Councilmember Bertone said he is against the restrictions and moved to receive and file the report, and not amend the existing code. Mayor Pro Tem Badar seconded the motion. The motion carried with Councilmember Templeman opposed.

## 6. OTHER MATTERS

- a. Open Space Maintenance District No. 1, Annexation No. 3 (Northwoods Tract 32841)

- (1) **RESOLUTION NO. 08-20**, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN DIMAS, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, APPROVING THE ENGINEER'S REPORT AND DECLARING ITS INTENTION TO LEVY AND COLLECT AN INCREASED ASSESSMENT FOR FISCAL YEAR 2008-09 PURSUANT TO THE LANDSCAPE AND LIGHTING ACT OF 1972 AND ARTICLE XIIIID OF THE CALIFORNIA CONSTITUTION, AND FIXING A TIME AND PLACE FOR A PUBLIC HEARING TO COUNT ASSESSMENT BALLOTS AND CONSIDER THE ASSESSMENT INCREASE FOR OPEN SPACE MAINTENANCE DISTRICT NO. 1, ANNEXATION NO. 3 (TRACT 32841, NORTHWOODS).

Director of Parks and Recreation Bruns recommended adoption to Resolution No .08-20 approving the Engineer's Report, declaring the City Council's intent to levy and collect an increased assessment for fiscal year 2008-09, and fixing a time and place for a public hearing to count assessment ballots for Open Space Maintenance District No. 1, Annexation No. 3, Tract 32841, Northwood. She further recommended that should the proposal be approved by a vote of the property owners, it shall be understood that no additional monies will be allocated to the District beyond those collected through assessment; should the proposal fail to obtain the necessary approval by a vote of the property owners, then the Northwoods District will become inactive on June 30, 2008 and the property owners will assume responsibility for their own property maintenance beginning July 1, 2008, with a Revocable Grant of License recorded for each parcel, allowing the right of access to the slope easement area for the purposes of installing and/or maintaining an irrigation system, and installing and/or maintaining landscaping and other slope maintenance.

Mayor Morris invited audience participation. No one came forward to speak.

After the title was read, it was moved by Councilmember Ebiner, seconded by Councilmember Bertone, to waive further reading and adopt **RESOLUTION NO. 08-20**, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN DIMAS, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, APPROVING THE ENGINEER'S REPORT AND DECLARING ITS INTENTION TO LEVY AND COLLECT AN INCREASED ASSESSMENT FOR FISCAL YEAR 2008-09 PURSUANT TO THE LANDSCAPE AND LIGHTING ACT OF 1972 AND ARTICLE XIIIID OF THE CALIFORNIA CONSTITUTION, AND FIXING A TIME AND PLACE FOR A PUBLIC HEARING TO COUNT ASSESSMENT BALLOTS AND CONSIDER THE ASSESSMENT INCREASE FOR OPEN SPACE MAINTENANCE DISTRICT NO. 1, ANNEXATION NO. 3 (TRACT 32841, NORTHWOODS). The motion carried by a unanimous vote.

## 7. SAN DIMAS REDEVELOPMENT AGENCY

Mayor Morris recessed the regular meeting of the City Council at 7:49 p.m. and convened a meeting of the San Dimas Redevelopment Agency Board of Directors. The regular meeting reconvened at 8:02 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.

There were no comments.

- 2) Individual Members' comments and updates.

1) Councilmember Templeman suggested staff look into reducing plastic bag use and get credit for the program in the recycling management program.

In response to Mayor Morris, Assistant City Manager Duran said the County adopted a Resolution requiring a reduction in the number of bags over time, but also supported statewide legislation. He said one piece of legislation that the County drafted and supported died in Committee, but there is another piece of legislation still active. He will track and provide a report for Council.

2) Councilmember Templeman reported that he, Mayor Morris, and Foothill Community leaders attended a meeting with Assemblyman Adams and they appreciated his candid discussion about issues in Sacramento. Mr. Templeman said he opined about water issues and Mr. Adams said the Assembly is currently embroiled in budget discussions.

3) Mayor Pro Tem Badar noted that over the weekend representatives from the San Dimas Sheriff's Department and teams from as far as Wales participated in the annual Bakersfield to Vegas Relay Run. He said that not only did a tremendous number of guys participate, but Gary Kimble ran in the last leg. He added that a great number of community members attended in support of this Team.

4) Councilmember Bertone invited everyone to the Festival of Arts Art Exhibit and Sale on Saturday and Sunday, April 26-27. Admission is free.

5) Councilmember Templeman announced that his daughter is getting married Saturday and he will miss the festivities.

6) City Attorney Brown reported that after the agenda had been prepared and distributed on Friday, a communication was received from attorneys representing the City in the Roybal versus City of San Dimas litigation. He said it is necessary to address the City Council and review pending depositions and requested this item be added to the agenda closed session.

It was moved by Councilmember Bertone, seconded by Councilmember Ebner, to add the Roybal litigation matter to the agenda closed session. The motion carried unanimously.

7) Mayor Morris mentioned that local government is required by law to adopt a budget by the end of June, whereas the Assembly begins discussion of their budget in July.

## 9. CLOSED SESSION

Mayor Morris recessed at 8:12 p.m. to a City/Redevelopment Agency closed session pursuant to Government Code Section 54956.8:

### 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. CONFERENCE WITH LEGAL COUNSEL – PENDING LITIGATION (SUBDIVISION (a) OF GOVERNMENT CODE SECTION 54956.9)

Name of Case: Bart Roybal, Cynthia Roybal v. City of San Dimas, LASC Case No. KC051389J

### 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 8:42 p.m. The next meeting will be held on May 13, 2008, 5:00 p.m. for a Budget Study Session.

Respectfully submitted,

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Ina Rios, CMC, City Clerk