



MINUTES
REGULAR CITY COUNCIL
TUESDAY, JUNE 24, 2008, 7:00 P. M.
COUNCIL CHAMBERS, 245 E. BONITA AVE.

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 AND FLAG SALUTE

Mayor Morris called the meeting to order at 7:08 p.m. and led the flag salute.

City Manager Michaelis mentioned that staff is uncomfortable with a newspaper article reporting that the process on the Walker House was completed. He clarified that a decision has not been reached and an agreement has not been approved on the Walker House.

2. PRESENTATIONS

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

Galen Gillotte, Children's Librarian, San Dimas Library, highlighted the summer reading program at the Library and outlined the various programs for the intergenerational groups.

- 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) Joan Kelly, San Dimas resident since 1973, said in the last few years, traffic on Loma Vista has become less friendly to residents, causing some people to think there's a need to provide intercity speed bumps, without the City first providing better law enforcement at each of the stop signs.

- 2) Joseph Clift, Avenida Loma Vista since 1984, said he went to the City's Public Works Department to determine how speed bumps could be installed on Avenida Loma Vista without the consensus of residents and was informed by Director Patel that the City developed a process by which residents could petition the City for action of this type. Mr. Clift suggested a referendum process for residents so that everyone can decide how the problem could be handled.
- 3) Vickie Monaghan, Avenida Loma Vista, said in 1988 she petitioned to have stop signs installed on Loma Vista, however, the residents run the stop signs. She said residents have a right to say they want or do not want speed bumps, and felt it was important to notify all residents prior to a change taking place.
- 4) Rob Anderson, adjacent to Avenida Loma Vista, applauded the City Council for making the decision to install speed bumps. He said it is not feasible to have law enforcement there all the time. He stated he signed the petition and received a letter informing of the date the speed bumps would be installed.
- 5) Frank Neill, Avenida Loma Vista since 1980, expressed his appreciation for having speed bumps installed. He said speed on Loma Vista has been a problem and increases as more building is done.
- 6) Joe Clift mentioned that firefighters and paramedics would be affected by the speed bumps on Avenida Loma Vista. He felt the people in the city should decide on the installation of speed bumps, signal lights, or stop signs.
- 7) Ted Powl, President/CEO, Chamber of Commerce, announced two events coming to San Dimas: 1) Friday-Saturday, June 27-28, 2008, 9:00 a.m. - 4:00 p.m. E-Waste Collection at two locations: a) San Dimas High School; b) Train Depot, Bonita Avenue/Monte Vista Avenue. He said this is an opportunity not only for residents but also for businesses to clear out their e-waste. 2) August 1, 2008, 5:00 p.m. celebrating the City's 48th birthday, at the Civic Center Patio and Park, featuring *The Answer*, deep pit Barbecue, and free childrens' games and rides. Tickets for the BBQ are available at the Chamber of Commerce and City Hall for \$5 presale; \$6.00 at the door; \$4 for seniors and \$3 for children. He added that a roundtrip trolley would be available to seniors living in Senior Living Facilities.
- 8) Bob Hardcastle, representing the San Dimas Rodeo community, invited the City Council, employees, and citizens of San Dimas to participate in a blood drive for the American Red Cross on July 9, 2008, 3:00 p.m. to 9:00 p.m. He hopes people come out to donate blood and enjoy Music in the Park at 7:00 p.m. featuring *Silverado*.
- 9) Jean Stevens, Avenida Loma Vista, said the Sheriff's Department cannot be on Loma Vista all the time, but speed bumps are there 24/7. She was appreciative that the speed bumps and signs were installed in front of her house to slow traffic. She said petitions went out and plenty of meetings were posted before the speed bumps went in.

Councilmember Bertone said he has noticed that residents do not slow down at the stop signs.

Councilmember Templeman stated that Sheriff's Captain Hartshorne has heard the discussion about speeding.

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.)

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. 08-39**, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN DIMAS APPROVING CERTAIN DEMANDS FOR THE MONTH OF JUNE, 2008.
- b. Ordinances read by title, further reading waived, passage and adoption recommended as follows:
 - (1) **ORDINANCE NO. 1177**, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN DIMAS, CALIFORNIA FURTHER EXTENDING THE TIME LIMITS OF THE REDEVELOPMENT PLAN FOR THE CREATIVE GROWTH REDEVELOPMENT PROJECT FOR (I) THE EFFECTIVENESS OF THE REDEVELOPMENT PLAN AND (II) THE PAYMENT OF INDEBTEDNESS AND THE RECEIPT OF PROPERTY TAXES.
 - (2) **ORDINANCE NO. 1178**, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN DIMAS, CALIFORNIA, (I) RESCINDING ORDINANCE NO. 1151, (II) ELIMINATING THE TIME LIMIT OF THE REDEVELOPMENT PLAN FOR THE RANCHO SAN DIMAS REDEVELOPMENT PROJECT FOR THE ESTABLISHMENT OF LOANS, ADVANCES AND INDEBTEDNESS AND (III) EXTENDING THE TIME LIMITS OF THE REDEVELOPMENT PLAN FOR THE RANCHO SAN DIMAS REDEVELOPMENT PROJECT FOR (A) THE EFFECTIVENESS OF THE REDEVELOPMENT PLAN AND (B) THE PAYMENT OF INDEBTEDNESS AND THE RECEIPT OF PROPERTY TAXES.
 - (3) **ORDINANCE NO. 1179**, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN DIMAS ADDING A SECTION TO CHAPTER 17.36 OF THE SAN DIMAS MUNICIPAL CODE ADDING A PROVISION ALLOWING DEFERRAL IN THE TIME FOR COLLECTION OF PARK LAND DEDICATION (QUIMBY) FEES.
 - (4) **ORDINANCE NO. 1180**, AN ORDINANCE OF THE CITY OF SAN DIMAS PROVIDING FOR AN INCREASE IN COMPENSATION TO THE MAYOR AND CITY COUNCILMEMBERS.
- c. Approval of minutes for regular City Council meeting of June 10, 2008 and special Closed Session meeting of June 10, 2008.
- d. Award of Cash Contract No. 2008-05, to Nor Cal Pipeline Inspection, in the amount of \$9,504.50, for cleaning and CCTV of various 8-inch sewers within the City of San Dimas.
- e. Waive formal bid procedures for the purchase of the poles and fixtures for the San Dimas Avenue street improvement project from Sun Valley Lighting in the amount of \$65,000.00.
- f. Tax Sharing Resolutions approving and accepting negotiated exchange of property tax revenues resulting from annexation to County Sanitation District No. 22 (Annexation No. 394) on Valley Center and Gainsborough.

END OF CONSENT CALENDAR

5. OTHER MATTERS

- a. Request from Bonita Unified School District for City of San Dimas funding for transportation for Hands on History program through use of Proposition A Transportation Funds.

Assistant City Manager Duran reported that for a number of years the Bonita Unified School District has conducted a Hands-on-History program for elementary school children. The District is requesting that the City consider funding the transportation costs of the program using local Proposition A transit funds in the amount of \$2,500.

Councilmember Bertone said the School District usually funds this program, but is unable to fund it this year.

Sally Aiken said she has been associated with this program to get the youth familiar with the history of the city. She explained the bus tour for third grade students and hands-on activities experienced by fourth grade students. She urged the City Council to support the program.

Councilmember Bertone said he is on the Committee with the Chamber, and as a result of fundraising efforts by the Committee, the City will not have to spend funds on the Yellow Bus program.

It was moved by Councilmember Templeman, seconded by Councilmember Badar, to allocate \$2,500 from Proposition A Transit Funds to fund the transportation costs of the Hands-on-History program at Bonita Unified School District. The motion carried unanimously.

- b. Report on County of Los Angeles Recycling & Plastic Bag Program and AB2058 - Pending State Legislation on Recycling of Carry-out Plastic Bags.

Assistant City Manager Duran provided a preliminary overview of the County Plastic Bag Recycling Program and the associated pending state legislation. He provided three options for Council consideration: 1) request staff to provide additional information on the County program in the event the City would consider adopting a similar program; 2) take a position to support or oppose AB 2058 or request additional information on the legislation; 3) request staff to continue to track the implementation of the County program and pending State legislation.

Councilmember Templeman said he asked for this report, and could not see how fees would be managed. He thought it best to have staff track the County and State activities.

In response to Councilmember Bertone, Mr. Duran replied that grocery stores are required to annually report to the California Integrated Waste Management on their recycling efforts but he was unable to verify enforcement. He added that Albertsons has implementation centers for recycling of plastic bags.

Councilmember Templeman indicated that grocery stores also sell the recycled tote bags.

Councilmember Bertone stated he would personally support AB 2058. He asked staff for a status report on AB 2058 in the next week.

Mayor Pro Tem Badar and Councilmember Ebner could support tracking the County's implementation, but could not support the bill without further information. Mr. Ebner said most enforcement would come from the State.

- c. Approve retainer agreement with Colantunono & Levin in an amount not to exceed \$3,500 to act on behalf of the City of Dimas in the issue of overpayment of property tax administration fees with the County of Los Angeles associated with VLF Swap and Triple Flip processing.

City Manager Michaelis explained that several Los Angeles County cities have joined together to hire Colantunono & Levin to seek a resolve to the overcharge by the Los Angeles County of property tax administration fees. Staff provided four options to consider and recommended authorization to accept a retainer agreement with Colantunono & Levin in an amount not to exceed \$3,500.

It was moved by Councilmember Templeman, seconded by Councilmember Bertone, to authorize the acceptance of a retainer agreement with Colantunono & Levin, in an amount not to exceed \$3,500, to act on behalf of the City of San Dimas in the issue of overcharge of property tax administration fees by the County of Los Angeles. The motion carried unanimously.

6. SAN DIMAS REDEVELOPMENT AGENCY

Mayor Morris recessed the regular City Council meeting at 8:05 p.m. and convened a meeting of the San Dimas Redevelopment Agency Board of Directors. The regular meeting reconvened at 8:07 p.m.

7. ORAL COMMUNICATIONS

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

1) Dr. Marvin Ersher suggested the City Attorney submit a legal brief regarding beer and wine at convenience markets so that the City Council can make an informed decision.

Councilmember Bertone inquired if the Council has the authority to deny the right to sell beer and wine at the convenience mark once the project is approved.

Assistant City Manager Stevens replied that the Specific Plan Amendment was intended to allow convenience stores, and because state law mandates that entities cannot have a blanket prohibition of alcoholic beverage sales, staff and the Planning Commission are recommending that a provision be included in the Specific Plan Amendment to allow alcoholic beverage sales by Conditional Use Permits. He added that the actual use permit for this particular facility does not include a requirement for alcoholic beverages, and the City Council can still evaluate a Conditional Use Permit.

2) Dr. Marvin Ersher recommended that staff prepare a scientific study about parking.

3) Dr. Marvin Ersher indicated that the March minutes reflect that the City Council directed staff to initiate a review of snack shops in Specific Plan No. 17, not to prepare an amendment to SP17. He stated that he would have attended the meeting if the item had been listed on the agenda and he would appreciate future notices on this item..

4) Gary Medrick, Loma Vista, said he wanted to call "Ask the Mayor" but the telephone number was not listed on the screen.

5) Gary Medrick suggested installing two right turn lanes onto west bound Arrow Highway from Bonita Avenue.

Director of Public Works Patel replied that CalTrans is opposed to having two right turn lanes at that intersection due to a conflict in traffic movements. He said there is a potential for an accident for traffic that turns right.

6) Gary Medrick preferred that red light cameras were not installed in San Dimas.

Director Patel said staff is not supportive of red light cameras in the city.

7) Gary Medrick referred to the overnight parking restrictions and suggested one free warning per year for residents.

8) Joe Fransen invited the Council to Music in the Park which will be starting tomorrow evening between 7:00-9:00 p.m. in the Civic Center Park for eight weeks. He said after eight weeks, they will be sponsoring family friendly Movies in the Park.

9) Jon Brainard, representing Christ's Church of the Valley, requested that the City Council consider changing the temporary banner provisions to allow a few more banners than the limit of four permitted per year. He said the Church has six to seven events per year, several of which invite the community at large.

10) Ted Powl said an advertisement on reusable bags from Albertson's is included in the welcome packet to new residents.

b. City Manager

- 1) Request from Christ's Church of the Valley for the City Council to allow more than four temporary banner permits in a year. Direction from Council on whether or not to consider a change by scheduling the request on a future agenda for consideration.

Director of Development Services Coleman reported that Christ's Church of the Valley requested that the City consider amending the ordinance for temporary banner provisions to allow more than four temporary banner permits in a year. The overall number of display days would remain the same (60 days). Mr. Coleman stated that in April the City Council amended the ordinance to create a new category specifically for charitable, civic or other nonprofit organizational events of general public interest. He said there is no limitation on the number of signs or time restrictions for those banners, but all are subject to a temporary use permit. He stated that if the City Council is interested in changing policy, the matter would be placed on a future agenda for Council consideration.

In response to Mayor Morris, Director Coleman stated he spoke with Richard Lukas on the types of events they offer and informed him that an announcement in a worship services does not advertise the event to the community.

The City Council discussed the difference between marketing business sector sales and nonprofit community events.

It was the consensus of the City Council to direct staff to bring back a staff report for Council consideration.

c. City Attorney

The City Attorney had no comments.

d. Members of the City Council

- 1) Designation of Voting Delegates and Alternates for the League of California Cities.

The League of California Cities conducts an annual business meeting to take action on conference resolutions. Councilmember Jeff Templeman is the City's delegate and Councilmember Denis Bertone is the alternate.

Councilmember Templeman believed it was decided that the entire City Council was going to take a more active participation in the League of California Cities.

It was moved by Councilmember Bertone, seconded by Councilmember Templeman, to appoint Emmett Badar as the City's Delegate to the League of California Cities Annual Convention. The motion carried unanimously.

It was moved by Mayor Pro Tem Badar, seconded by Mayor Morris, to appoint Denis Bertone as the Alternate to represent the City of San Dimas at the League of California Cities Annual Convention. The motion carried unanimously.

2) Appointment of new City Council representative to the Pomona Valley Transportation Board.

Assistant City Manager Duran stated that Councilmember Denis Bertone has served as the City Council representative on the Board of Director of the Pomona Valley Transportation (PVRTA) Board. He said Mr. Bertone has suggested that a new City Council representative be appointed.

It was moved by Councilmember Bertone, seconded by Councilmember Templeman, to appoint Emmett Badar as the City Council representative on the Board of Director of the Pomona Valley Transportation (PVRTA) Board. The motion carried unanimously.

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

Councilmember Bertone said that on June 13, 2008, he attended a Gang Summit with the San Gabriel Valley where Attorney General Jerry Brown spoke and said there are not enough jails to incarcerate every gang member. He indicated that Mr. Brown stressed that education is a solution and that for youth who do not graduate there is an 800% possibility of joining a gang.

4) Individual Members' comments and updates.

1) Councilmember Ebner requested a comprehensive staff report on the Via Verde 76 Station.

2) Councilmember Templeman mentioned that there have been incidents of people moving into foreclosed vacant homes and he urged residents to report loitering in and around vacant homes so Sheriff Deputies can patrol these areas.

Assistant City Manager Stevens said the City of Temecula is considering an ordinance to require foreclosing entities to register their foreclosures with the city in some form, so the city knows who is responsible for properties, and can ensure they are maintained. Mr. Stevens would like to get a copy of their staff report to see if there is interest in looking at that as an option.

3) Councilmember Templeman commended Parks and Recreation staff on recognizing volunteers who help put on the many great programs.

4) Mayor Pro Tem Badar asked that after the regular meeting, the City Council reconvene the study session regarding Monte Vista and Bonita Avenue.

Councilmember Ebner asked if it was appropriate to reconvene the study session because the interested member of the public was no longer present. He asked if a decision had been made at the study session and if the study session had been adjourned.

City Attorney Brown stated that as long as the meeting was not adjourned it would be appropriate to reconsider the matter.

It was determined that the study session was not adjourned and it was the consensus of the City Council to reconvene the study session at the conclusion of the regular meeting.

RECESS

The regular meeting was recessed at 8:58 p.m. to reconvene the study session regarding concrete bow-out traffic-calming measures on Bonita Avenue/Monte Vista Avenue and Bonita Avenue/Exchange Place. The regular meeting reconvened at 9:16 p.m.

8. CLOSED SESSION

Mayor Morris recessed at 9:08 p.m. to a City/Redevelopment Agency closed session pursuant to Government Code Section 54956.8:

a. CONFERENCE WITH REAL PROPERTY NEGOTIATION

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/Executive Director, Larry Stevens, Assistant City Manager of Community Development, and J. Kenneth Brown, City/Agency Attorney.

For Seller: Daniel Singh

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

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

Negotiating Parties:

For Agency: Blaine Michaelis, City Manager/Executive Director, Larry Stevens, Assistant City Manager of Community Development, 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. Report on closed session items.

Pursuant to Section 54957.7(a), announcement was made that there was no action taken on closed session items.

9. ADJOURNMENT

Mayor Morris adjourned the meeting at 9:37 p.m. The next meeting is July 8, 2008, 7:00 p.m.

Respectfully submitted,

Ina Rios CMC, City Clerk